

NAVAL RESERVE OFFICERS TRAINING CORPS

LEADERSHIP AND ETHICS



CNET P1550/8 (Rev. 11-02)

CHIEF OF NAVAL EDUCATION AND TRAINING

SF 110208

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

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RECORD OF CHANGES			
CHANGE NO.	DATE OF CHANGE	DATE ENTERED	BY WHOM

LETTER OF PROMULGATION


This course curriculum was designed to ensure midshipmen gain a solid understanding of appropriate Leadership and Ethics standards before commissioning. It is the capstone course of the NROTC/Merchant Marine training programs. It is designed to provide all midshipmen with the ethical foundation and basic leadership tools needed to be effective junior officers and provide the high quality leadership our country and Department of Defense will need in the 21st century.

This course should be presented in two forums during the senior year. The first part of the course is an academic, discussion-oriented *Leadership and Ethics* (L&E) course intended to provide the midshipmen with a broad understanding of the various moral, ethical, and leadership philosophies that help strengthen junior officer character.

The second portion of the course is a "Senior Seminar," or senior lab. These lessons provide an overview of the duties, responsibilities, and expectations of a junior or company grade officer in the United States Naval Service. Similar to the *Naval Science Lab*, it should be conducted in a variety of sessions during the senior year. The methods instructors can choose to teach the seminar are flexible and at the discretion of the Commanding Officer.

The division of the course into these two forums permits greater freedom in scheduling the L&E course than would a single classroom curriculum. Past experience indicates that much value is lost to the student officer if the practical lessons regarding their administrative duties and responsibilities are taught too far in advance of commissioning.

The course may be modified with the approval of Professors of Naval Science, provided midshipmen still meet all the professional core competency objectives stated in this guide. This syllabus is approved for implementation upon receipt. Leadership and Ethics, CNET P1550/8 (4-96), is hereby cancelled and superseded.



D. L. CAIN
Captain, USN
NROTC Professional Development

11/22/02

DATE

DEFINITION OF MEASUREMENT TERMS
(USED IN DESCRIBING DESIRED PROFESSIONAL CORE
COMPETENCIES AND SUPPORTING LEARNING OBJECTIVES)

I. Know - Recall facts, bring to mind the appropriate material, recognize knowledge.

Examples: Know the objectives of damage control aboard ship.

Know the safety precautions used to provide the fullest measure of safe small boat operations.

II. Comprehend - Interpret principles and concepts and relate them to new situations.

Examples: Comprehend the mission of the U.S. Navy and the U.S. Marine Corps.

Comprehend the concepts of internal forces (e.g., stress, strain, shear, etc.).

III. Apply - Utilize knowledge and comprehension of specific facts in new relationships with other facts, theories, and principles.

Examples: Apply correct plotting procedures when navigating in pilot waters.

Apply correct procedures to determine times of sunrise and sunset.

IV. Demonstrate - Show evidence of ability in performing a task.

Examples: Demonstrate third-class swimming skills and fundamental water survival skills.

Demonstrate the correct procedure used in radio and telephone communications.

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PROFESSIONAL CORE COMPETENCIES

The following Professional Core Competencies (PCCs) for this course are taken from the PCC Manual for Officer Accession Programs promulgated in April 2001.

I. ACADEMIC SESSION. The Professional Core Competencies in this section should be taught during the academic classroom portion of the *Leadership and Ethics* curriculum. Building on the objectives of *Leadership and Management*, the student will comprehend and apply leadership principles necessary to accomplish the Navy and Marine mission through people, remembering that war-fighting requires self-sacrifice, fighting to win, pressing the attack, inspiring the troops, and focusing the warrior spirit.

- A. The student will comprehend the moral and ethical responsibilities of the military leader.
 - 1. The student will comprehend the leader's moral and ethical responsibilities to the organization and society.
 - 2. The student will comprehend the relationship of integrity, moral courage, and ethical behavior to authority, responsibility, and accountability.
 - 3. The student will comprehend and apply the standards of conduct for military personnel.
- B. The student will comprehend the following personal qualities and be able to relate them to a leader's effectiveness:
 - 1. Loyalty
 - 2. Honor
 - 3. Integrity
 - 4. Courage (moral and physical)

- C. The student will comprehend the major principles of the Code of Conduct and be able to apply it to a leader's role in a prisoner of war situation.
- D. The student will comprehend the UCMJ, practice of military law, and applications of regulations as they may involve a junior officer in the performance of duties.
 - 1. The student will comprehend the purpose, scope, and constitutional basis of Navy Regulations and the Uniform Code of Military Justice and relate these regulations to personal conduct in the military service.
 - 2. The student will comprehend junior officer responsibilities relative to the military justice system.
 - 3. The student will comprehend Secretary of the Navy published standards of conduct required of all naval personnel.
 - 4. The student will comprehend the Law of Armed Conflict, including rules of engagement, conduct of hostilities, rights of individuals, obligations of engaged parties, and the Code of Conduct for members of the U.S. Armed Forces.
- E. The student will comprehend the relationship of Navy and Marine Corps Core Values to the role and responsibilities of a naval leader.
- F. The student will comprehend the role of commissioned officers as members of the U.S. Armed Forces and know the obligations and responsibilities assumed by taking the oath of office and accepting a commission, including the constitutional requirement for civilian control.
- G. The student will demonstrate, in officer leadership situations, an understanding of the influence of the following on a leader's ability to achieve organization's goals:
 - 1. Use of authority

2. Degree of delegation and decentralization
 3. The officer-enlisted professional relationship
 4. Chain of command
 5. Morale and esprit de corps
- H. The student will know the types of, and importance of, communication within the military.
1. The student will comprehend the communications process.
 2. The student will comprehend the major causes of communication breakdowns.
 3. The student will demonstrate characteristics of effective oral and written communications.

II. SENIOR SEMINAR. The second section of Professional Core Competencies should be taught during the Senior Seminar. Professors of Naval Science and instructors of this course should determine the most appropriate way to teach these competencies to their senior midshipmen. Some schools may elect to conduct seminars over the weekend or during evening hours. Others may determine the most suitable time to instruct midshipmen is during already existing Naval Science Lab program hours or through normal battalion and special event training. The senior seminar should be flexible but well planned and executed to ensure senior midshipmen learn the following professional core competencies during their last year in the NROTC program.

- A. The student will demonstrate, in officer leadership situations, an understanding of the influence of the following on a leader's ability to achieve organizational goals:
1. The student will demonstrate the use of authority.

2. The student will comprehend and demonstrate the proper use and degree of delegation and decentralization.
 3. The student will comprehend and apply the officer-enlisted professional relationship.
 4. The student will comprehend, apply, and demonstrate the appropriate use of the chain of command.
 5. The student will comprehend morale and esprit de corps.
- B. The student will comprehend the relationship of Navy and Marine Corps Core Values to the role and responsibilities of a naval leader.
- C. The student will comprehend the interrelationship between authority, responsibility, and accountability.
- D. The student will comprehend the moral and ethical responsibilities of the military leader.
1. The student will comprehend the current Navy and Marine Corps regulations, policies and programs regarding equal opportunity.
 2. The student will comprehend the provisions of official policies regarding prevention of sexual harassment, fraternization and hazing.
 3. The student will comprehend the Navy and Marine Corps policies regarding single parenting and pregnancy.
- E. The student will know the types of, and importance of, communication within the military.
1. The student will comprehend the communications process.
 2. The student will comprehend the major causes of communication breakdowns.

3. The student will demonstrate characteristics of effective oral and written communications.
- F. The student will demonstrate an understanding of basic counseling skills.
1. The student will comprehend the importance of feedback to mission effectiveness.
 2. The student will apply counseling skills to performance evaluation debriefings, discipline infractions, career guidance, and personal problems.
- G. The student will comprehend the fundamentals of operational risk management (ORM).
- H. The student will comprehend the Uniform Code of Military Justice (UCMJ), practice of military law, and applications of regulations as they may involve junior or company grade officers in the performance of their duties.
1. The student will comprehend the purpose, scope, and constitutional basis of Naval Regulations and the UCMJ, and relate these regulations to personal conduct in military service.
 2. The student will comprehend junior officer responsibilities relative to the military justice system, including familiarization with:
 - a. Essential publications relating to military justice
 - b. Search and seizure
 - c. Apprehension and restraint
 - d. Non-judicial punishment
 - e. Investigations
 - f. Courts-martial
 - g. Administrative discharges

- h. Extra military instruction (EMI)
 - 3. The student will comprehend the Secretary of the Navy's published standards of conduct required of all naval personnel.
 - 4. The student will be able to apply the Law of Armed Conflict, including rules of engagement, conduct of hostilities, rights of individuals, obligations of engaged parties, and the Code of Conduct for members of the U.S. Armed Forces.
- I. The student will know basic administrative responsibilities of an officer, including correspondence procedures, personnel management, and safety procedures and programs.
 - 1. The student will know the basic elements of personal finances, including pay, taxes, death benefits, insurance, savings, investments, and wills.
 - 2. The student will know Navy correspondence procedures and be familiar with the governing documents for Navy correspondence.
 - 3. The student will be familiar with the Navy Directives System.
 - 4. The student will know the purpose for and typical contents of a division officer's notebook.
 - 5. The student will know (review) Navy safety programs and precautions, including ordnance, electrical, workplace, NAVOSH, and environmental programs.
- J. The student will know the proper procedures and correct formats for naval messages.
- K. The student will comprehend the role of commissioned officers as members of the U.S. Armed Forces and know the obligations and responsibilities assumed by taking the oath of office and accepting a commission,

including the constitutional requirement for civilian control.

- L. The student will know the requirements and procedures for proper handling and disclosure of classified material, consequences for inadvertent disclosure, and the consequences for a violation of the espionage laws, including:
 - 1. Maintaining security over classified material, including security for avoiding technology transfer.
 - 2. Disclosure (clearance and need to know).
 - 3. The basic security classifications and the handling and need-to-know requirements for each.
- M. The student will know the basic information found in Naval Tactical Publications (NTP), Naval Warfare Publications (NWP), and Allied tactical Publications (ATP) systems.
- N. The student will comprehend current Navy/Marine Corps regulations, policies, and programs relative to substance and alcohol abuse prevention and detection.

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List of Academic Lesson Topics

1.	Course Introduction	1.0
2.	Introduction to Moral Reasoning	1.0
3A.	Constitutional Ethics & the Moral Obligations of Military Service	1.0
3B.	Introduction to Military Justice & Discipline	1.0
4.	Utilitarianism	1.5
5.	Kantian Ethics: Duty	1.5
6.	Truth Telling/Navy Core Values & Personal Ethics	1.5
7.	Liberty as the Foundation for Moral Rights	1.5
8.	Justice	1.5
9.	Virtue Ethics	1.5
10.	Natural Law/Divine Command	1.5
11.	Just War Theory/Conduct of War/LOAC & Code of Conduct	3.0
12.	Junior Officer Relationships	1.5
13.	Junior Officer Responsibility, Accountability, and Authority	1.5
14.	Junior Officer/Company Grade Leadership	1.5
	Supplement: USMC Leadership Traits & Principles (.5)
15.	The Moral Leader	3.0
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Total Hours		25.0

The lesson topics above are listed in a suggested teaching order. These lessons may be taught in any manner that meets the needs of the unit and individual instructor.

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List of Senior Seminar Lesson Topics

1.	The UCMJ and U.S. Navy Regulations	.5
2.	Administrative Investigations and Administrative Discharges	.5
3.	Courts-Martial and the Legal Rights of the Accused	.5
4A.	Non-Judicial Punishment (NJP)	.5
4B.	Mock Captain's Mast	.5
5.	Search and Seizure/Apprehension & Restraint	.5
6A.	Navy Directives, Publications & Correspondence	.5
6B.	Junior Officer Directives and Communications Application	.5
7.	DON Policy on Pregnancy and Single Parenting	.5
8.	Drug and Alcohol Abuse/Related Programs & Policies	.5
9A.	Personal Financial Management (PFM)/Pay & Allowances	1.0
9B.	PFM: Managing your Money/Credit	1.0
10.	Division Organization, Admin, Trng & Inspections	.5
11.	USN/USMC Division/Company Grade Officer Counseling	.5
12.	USN/USMC Programs & Policies	1.0
13.	Orders/Travel/Leave/Moving/Reporting Aboard	.5
14.	The Meaning of a Commission	.5
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Total Hours		10.0

The lesson topics above are listed in a suggested teaching order. These lessons may be taught in any manner that meets the needs of the unit and individual instructor.

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List of Assigned Readings

The instructor must chose the material from each chapter that will help facilitate the lesson, as well as meet the PCCs identified for the lesson.

- Lesson 1: Introduction to the Leadership and Ethics Course --
Course Syllabus
- Lesson 2: Introduction to Moral Reasoning --
Recommend Ethics for Military Leaders (EML), Chapter 1, Overview and Readings 1, 2, 3, 4, and 5
- Lesson 3: Constitutional Ethics and the Moral Obligations of Military Service/Introduction to Military Justice and Discipline --
Recommend EML, Chapter 2, Overview and Readings 1, 2, 3 and 6; and Naval Law (NL), Chapters 1 and 2
- Lesson 4: Utilitarianism --
Recommend EML, Chapter 3, Overview and Readings 1, 2, 3 and 5
- Lesson 5: Kantian Ethics: Duty --
Recommend EML, Chapter 4, Overview and Readings 2, 3 and 4; and Naval Leadership; Voices of Experience (NavLead), pp. 94-100 and 153-166
- Lesson 6: Truth Telling/Navy Core Values & Personal Ethics --
Recommend EML, Chapter 5; and Naval Officer's Guide (NOG), Chapter 2
- Lesson 7: Liberty as the Foundation for Moral Rights --
Recommend EML, Chapter 6, Overview and Readings 1, 3, 4 and 5
- Lesson 8: Justice --
Recommend EML, Chapter 7, Overview and Readings 1 and 2
- Lesson 9: Virtue Ethics --
Recommend EML, Chapter 8, Overview and Readings 1, 2, 3 and 5

- Lesson 10: Natural Law/Divine Command --
Recommend EML, Chapters 9 and 10
- Lesson 11: Just War Theory/Conduct of War/Law of Armed Conflict
(LOAC) & Code of Conduct --
Recommend EML, Chapter 11, Overview and Readings 1,
4, and 5; EML, Chapter 12, Overview and Readings 1,
3, and Geneva Conventions Summary; NL, Chapters 12
and 13.
- Lesson 12: Junior Officer Relationships --
Recommend NavLead, pp. 44-48, 112-142, and 393-395;
Marine Officer's Guide (MOG), Chapters 11 and 16;
NOG, Chapter 6 and 11
- Lesson 13: Junior Officer Responsibility, Accountability, and
Authority --
Recommend NavLead, pp. 92-104 and 116-171; MOG,
Chapters 16 and 17; NOG, Chapters 7 and 18
- Lesson 14: Junior Officer and Company Grade Leadership --
Recommend NavLead, pp. 19-44, 83-84, 94-114, and
109-113
- Lesson 15: The Moral Leader --
Recommend EML, Chapter 13

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LIST OF INSTRUCTIONAL AIDS

I. Videos

- A. The following videos are part of the official curriculum and will be distributed to each unit by CNET:

A Few Good Men (ASIN: B00005BCKW)

Men of Honor (ASIN: B00005KA9B)

Rules of Engagement (ASIN: B000056HQN)

Saving Private Ryan (ASIN: B00000K3AM)

1. **These videos were purchased for the sole use of the instructor in an academic setting. These videos are not to be reproduced, sold, copied, or shown in their entirety. Academic privileges allow instructors to utilize portions of videos, books, articles available to the public, and other media in academia to teach and educate. Using or distributing these videos in any fashion other than outlined here and in the lesson plans may constitute copyright infringements. Many short video clips from these movies provide the instructors contemporary, intriguing material to provide the students with examples of the ethical issues they are trying to teach. Use these segments appropriately. Seek official legal advice for any use not mentioned in this guide. Additional guidance may be found in SECNAVINST 5870.4.**
2. These videos are provided by CNET on a one-time basis for each unit. These items should be controlled and serialized as part of your unit's standing educational materials as appropriate to ensure they are available for future courses of instruction. It is the responsibility of the unit to maintain these videos in good working condition. Replacements for lost or stolen videos will normally be purchased through each unit's operational budget, and not replaced by CNET. Any inquiries concerning these video materials should

be directed to the Course Coordinator or CNET (N79A33).

- B. Additional video resources will be highlighted throughout the lesson guides. These videos are good resources that the instructor may find useful; however, they are not provided through CNET funding. They may be available at university libraries, online vendors, online in public domain areas (without cost) or purchased by the unit through commercial vendors. (NOTE: When purchasing videos, units should consider the copyright laws that allow video usage for educational purposes/classroom use.) Video resources mentioned throughout the lesson guides include, but are not limited to:

1. The Siege
2. Starship Troopers
3. Remember the Titans
4. Patriot
5. Heartbreak Ridge
6. U-571
7. Thin Red Line
8. Black Hawk Down

- C. There are various online vendors and resources you may consult when looking for video resources for educational purposes. Recommended are resources online and in use by the United States Naval Academy at:

<http://prodevweb.prodev.usna.edu/LEL/index.htm>;

resources available on various educational institution websites; archived resources at television station web sites, such as ABC News archived videos at:

<http://abcnews.go.com/index.html>; or government and

military-related issues archived by C-SPAN at:

<http://www.c-span.org/>, which may come at little or no cost. The Course Coordinator or CNET (N79A33) may be contacted for assistance in locating video resources.

- D. The U.S. Naval Academy's Department of Ethics, Leadership and Law's website includes several downloadable video clips useable in the classroom on topics addressed in the NROTC L&E course at:
<http://prodevweb.prodev.usna.edu/LEL/ne203/index.htm>.

- E. Most universities have video libraries or audiovisual organizations that can provide current, topical films to units at no cost. These universities may also have additional funding or arrangements to purchase video rights and rental for use in the classroom environment. Consult with your university's film librarian to locate additional films to support lesson plans.
- F. A wide variety of Department of Defense (DOD) materials is available through the Defense Automated Visual Information System/Defense Instructional Technology Information System (DAVIS/DITIS) website at: <http://dodimagery.afis.osd.mil>. This site contains listings and descriptions of thousands of audiovisual productions/videotapes and interactive multimedia instructional products used by DOD. The NETPDTC Norfolk Regional Electronic Media Center at (757) 492-7993/4 or fax (757) 492-6587 may also be able to provide desired multimedia resources.
- G. The Hartwick Classic Film Leadership Cases website offers leadership case studies on film, including Martin Luther King, Jr.'s "Letter from Birmingham Jail," one of the case studies for this course. The instructor can use additional contemporary case studies to substitute for or reinforce lesson plans. These include "The Charge of the Light Brigade," "The Bridge on the River Kwai," "Courage Under Fire," "Glory," and many others. Full sample case studies are available free of charge or for a nominal fee. Information is available at: <http://www.hartwick.edu/hhmi/caselistings.htm>.
- H. Many educational resources provide significant ethics material for the public. These outside resources can add to the students' understanding of the subject matter. One such web site is: <http://ethics.acusd.edu>.
- I. **Please note that you must exercise caution in using material downloaded from the Internet. Access to works on the Internet does not automatically mean that these can be reproduced and reused without permission or royalty payment. Before using any materials downloaded from the Internet for use in training, you must determine what, if any, copyright restrictions might apply. A good**

rule of thumb would be to presume that any information on the Internet is copyrighted, and that you should not use it without obtaining permission from the copyright holder. SECNAVINST 5870.4 provides specific guidelines that should be addressed in the copyright permission request letter.

II. Additional Readings and Exercises

- A. Additional leadership readings may be found on the Naval Institute's "Proceedings" web page at: <http://www.usni.org/Proceedings/PROcurrentoc.htm>
- B. Current events with a Department of Defense perspective are available online at: <http://ebird.dtic.mil>. The *Early Bird* provides full text information from newspapers, magazines, and trade journals on the very latest military developments.
- C. CNET offers a Navy Leader's Planning Guide that is available at <https://www.cnet.navy.mil/development.html>. This site also includes other useful materials that may be helpful in the instruction of this course.
- D. Additional leadership and ethics exercises, case studies, or current events articles can be found on the Internet. Many Associated Press releases are available on news websites for instructors to enhance the classroom experience. Although many of these releases are civilian or business-related, some of them can be modified to meet your needs.
- E. There are also a variety of interactive resources available for the Senior Seminar portion of this course. These resources include, but are not limited to, those found at: www.cnet.navy.mil/gmt.html and [http://www.defenselink.mil/dodgc/defense ethics/2000 online training/cover.htm](http://www.defenselink.mil/dodgc/defense%20ethics/2000%20online%20training/cover.htm).

III. Devices

- A. IBM-compatible PC (with Microsoft Office, including PowerPoint) and projection system (optional)
- B. Videocassette player with monitor/projection system

- C. Electronic or overhead projector
- D. Chalkboard/ceramic board
- E. Easel
- F. Interactive display of Web resources (optional)

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BIBLIOGRAPHY

I. Texts (1 per student, 1 per instructor):

Ethics for Military Leaders, 3rd ed. George R. Lucas, ed.
Boston, MA: Pearson Custom Publishing, 2000. (ISBN 0-536-
60935-7)

The Marine Officer's Guide, 6th ed. Kenneth W. Estes.
Annapolis, MD: Naval Institute Press, 1996. (ISBN 1-55750-
567-5)

Naval Law: Justice and Procedure in the Sea Services, 3rd
ed. Brent G. Filbert and Alan G. Kaufman. Annapolis, MD:
Naval Institute Press, 1997. (ISBN: 1-55750-462-8)

Naval Leadership: Voices of Experience, 2nd ed. Karel
Montor, et al., ed. Annapolis, MD: Naval Institute Press,
1998. (ISBN 1-55750-596-9)

The Naval Officer's Guide, 11th ed. William P. Mack, Harry
A. Seymour, Jr., and Lesa A. McComas. Annapolis, MD: Naval
Institute Press, 1998. (ISBN 1-55750-645-0)

Uniformed Services Almanac (current edition). Falls
Church, VA: Uniformed Services Almanac, Inc. (GS-14F-6023A
Item #4621U)

II. References (1 per instructor):

Armed Forces Guide to Personal Financial Planning, 4th ed.
Hobart B. Pilsbury, Jr., and Robert H. Baldwin, Jr.
Harrisburg, PA: Stackpole Books, 1997. (ISBN 0-8117-2664-9)

Division Officer's Guide, 10th ed. James Stravidis.
Annapolis, MD: Naval Institute Press, 1995. (ISBN 1-55750-
-163-7).

Ethics for the Junior Officer, ed. Karel Montor, ed.
Annapolis, MD: Naval Institute Press, 1994. (ISBN 1-55750-
591-8)

Just and Unjust Wars; A Moral Argument with Historical Illustrations, 2nd ed. Michael Walzer, HarperCollins, 1992. (ISBN: 0-465-03701-1)

Naval Institute Guide to Naval Writing: A Practical Manual. Robert Schenk. Annapolis, MD: Naval Institute Press, 1997. (ISBN: 1-55750-831-3)

Teaching Tips, 11th ed. Wilbert J. McKeachie. Boston, MA: Houghton Mifflin Company, 2002. (ISBN: 0618-1164-94)

III. Additional references (not provided by CNET):

"America's Escalating Honesty Crisis," by Patricia Edmonds, USA Weekend, 16-18 Oct 98, pp. 14-15. (Available at: http://www.usaweekend.com/98_issues/981018/981018nationalforum.html.)

"An Introduction to the My Lai Courts Martial," by Lindler, Douglas, 8 July 2001. (Available at: <http://www.law.umkc.edu/faculty/projects/ftrials/mylai/Mylintro.html>.)

"Are You Telling the Truth?" LtCol. Mark Cancian, Proceedings, Dec 94, pp.37-41.

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"The Decision to Use the Atomic Bomb," Henry L. Stimson, Harper's Magazine, Vol. 194, February 1947: 101-102, 106-107.

Fleet Marine Force Manual (FMFM) 1-0, Leading Marines. (Available from the Marine Corps Institute (MCI) Branch at Marine Barracks Washington, D.C., at 1-800-MCI-USMC or www.mci.usmc.mil.)

"The Hydrogen Bombing of Cities," John C. Ford, Theology Digest, Winter 1957.

International Law for Seagoing Officers, 5th ed. Burdick H. Brittin. Annapolis, MD: Naval Institute Press, 1994. (ISBN 1-55750-074-6)

"Is It Ever Right to Lie?" Robert C. Soloman, The Chronicle of Higher Education, Feb 98. (Available at: <http://web.utk.edu/~gwynne/lying.html>.)

Joint Federal Travel Regulations. (Available at: <http://www.dtic.mil/perdiem/trvlregs.html>.)

Judge Advocate General (JAG) Manual. (Available at: http://neds.nebt.daps.mil/jag/5800_7c.pdf.)

Manual for Courts Martial, United States, 1995. Joint Service Committee on Military Justice. Online version can be found on several websites, including: <http://www.jag.navy.mil/documents/mcm2000.pdf>

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"The Minority Controversy: Enough is Enough," Herrera, Eugene A., Marine Corps Gazette, March 1994, pp. 36-37 (attached).

"Minority Officers in the Marine Corps: A Perspective," Jackson, A.L., Marine Corps Gazette, September 1994, pp. 85-89 (attached).

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ALMAR 246/92, "Marine Corps Separation Policy for Drug Offenders"

CNETINSTs are available online at:
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CNETINST 1533.3 (series), "NROTC Administrative Manual (NAM) "

CNETINST 1533.12 (series), "Regulations for the Administration and Management of the NROTC Program"

DPSINST 5215.1 (Series), "Consolidated Subject Index"

MCO 1610.12 (Series), "USMC Counseling Program"

MCO 1740.13 (Series), "Family Care Plans"

MCO 5000.12 (Series), "Marine Corps Policy on Pregnancy and Parenthood"

MCO P5300.12, "Marine Corps Substance Abuse Program"

MCO P5354.1, "Marine Corps Equal Opportunity Manual"

MILPERSMAN directives are available on the Web at:
https://buperscd.technology.navy.mil/bup_updt/upd_CD/BUPERS/MILPERS/MilpersmanPDF TOC.htm

MILPERSMAN 1320-090, "Proceed Time in Execution of Orders"

MILPERSMAN 1320-100, "Travel Time in Execution of PCS Orders"

MILPERSMAN 1320-140, "Permanent Change of Station Transfer Orders Reporting Policy"

MILPERSMAN 1740-020, "Information Concerning Pregnant Members"

MILPERSMAN 1740-030, "Maternity Care Available Before and After Separation"

MILPERSMAN 1910 (Series) discusses all aspects of separations from the military.

NAVEDTRA 122-A, "The Law of Armed Conflict," Department of the Navy

NAVEDTRA 12967, Useful Information for the Newly Commissioned Officer, prepared by LCDR Gerald D. Medders, 1990 ed. (No longer published, but should be available at most NROTC units.)

Naval Technical Publication (NTP-3), Annex C, "Message Format"

Naval Warfare Publication (NWP OP), "Naval Warfare Documentation Guide"

NAVMC 2795, "Navy and Marine Corps User's Guide to Counseling"

NAVPERS 15608, "Command Financial Specialist Training Manual"

NAVSUP Publication 380, "It's Your Move"

NMPCINST 1910.1 (Series), "Administrative Separation Procedures"

NWP-9 (series), "The Commander's Handbook on the Law of Naval Operations"

OPNAVINSTs are available on the Web at:
<http://neds.nebt.daps.mil/usndirs.htm>

OPNAVINST 1000.24 (Series), "Code of Conduct Training"

OPNAVINST 1740.5 (Series), "Personal Financial Management (PFM) Education, Training, and Counseling Program"

OPNAVINST 3120.32 (Series), "Standard Organization and Regulations of the U.S. Navy (SORN)"

OPNAVINST 3300.52 (Series), "Law of Armed Conflict (Law of War) Program to Ensure Compliance by the U.S. Navy and Naval Reserve"

OPNAVINST 3500.39 (Series), "Operational Risk Management (ORM)"

OPNAVINST 5350.4 (Series), "Alcohol and Drug Abuse Prevention and Control"

OPNAVINST 5354.1 (Series) "Navy Equal Opportunity (EO) Policy"

OPNAVINST 5370.2 (Series), "Navy Fraternization Policy"

OPNAVINST 5720.2 (Series), "Embarkation in U.S. Naval Ships"

OPNAVINST 6000.1 (Series), "Management of Pregnant Servicewomen"

SECNAVINSTs are available on the Web at:
<http://neds.nebt.daps.mil/Directives/dirindex.html>

SECNAVINST 1000.10, "Department of the Navy (DON) Policy on Pregnancy"

SECNAVINST 1300.12 (Series), "Assignment of Women Members in the Department of Navy (DON) "

SECNAVINST 1610.2, "Department of the Navy Policy on Hazing"

SECNAVINST 1850.4 (Series), "Department of the Navy (DON) Disability Evaluation Manual"

SECNAVINST 5210.11 (Series), "Department of the Navy File Maintenance Procedures and Standard Subject Identification Codes (SSIC) "

SECNAVINST 5215.1 (Series), "DON Directives Issuance System"

SECNAVINST 5216.5 (Series), "DON Correspondence Manual"

SECNAVINST 5300.26 (Series), "Department of the Navy Policy on Sexual Harassment"

SECNAVINST 5300.28 (Series), "Military Substance Abuse Prevention and Control"

SECNAVINST 5350.16 (Series), "Equal Opportunity (EO) within the Department of the Navy"

SECNAVINST 5510.36, "Information Security Program"

IV. Additional Web Resources:

Black Hawk Down, both the movie and book, offer some very realistic scenarios in which ethical decisions were being made during split seconds. The book and video can be found at: <http://inquirer.philly.com/packages/somalia/>.

Constitutional Ethics/Bill of Rights at: http://www.archives.gov/exhibit_hall/charters_of_freedom/bill_of_rights/amendments_1-10.html

Web resources regarding "The Decision to Use the Atomic Bomb" can be found at: <http://www.douglong.com/gal.htm>.

Former Senator Bob Kerry's incident during a Vietnam Raid can be found by searching the CNN home page for articles at: <http://www.cnn.com/>.

Joint Services Conference on Professional Ethics (JSCOPE) website: <http://www.usafa.af.mil/jscope>.

Kantian ethics on the web:

<http://www.freeessay.com/killer/history/kant.shtml>

<http://www.chinfo.navy.mil/navpalib/traditions/html/corvalu.html>

Liberty and Plato's insight: <http://plato.stanford.edu/entries/justice-distributive/>

Moral Relativism websites:

<http://www.friesian.com/relative.htm>

<http://web.ukonline.co.uk/g.mccaughan/g/essays/utility.html#one>

<http://www.utilitarian.org/faq.html#will>

"Rockwood in Haiti" article found at: <http://www.hartford-hwp.com/archives/43a/044.html>

Tuskegee Airmen information on the web at: <http://www.wpafb.af.mil/museum/history/prewwii/ta.htm>

United Services Automobile Association financial education services on the web at: www.usaaedfoundation.org

U.S. Historical Documents at: <http://www.law.ou.edu/hist/>.

USN Core Values Web Page:

<http://www.chinfo.navy.mil/navpalib/traditions/html/corvalu.html>

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

RECOMMENDATIONS FOR THE INSTRUCTOR

I. Course Theme

- A. This is the second of two core leadership courses that provide the academic foundation of leadership development in NROTC. This course builds on the leadership concepts first addressed in "*Introduction to Naval Science*" and "*Leadership and Management*," which examined leadership as a *process approach among leaders, followers, and situations*. For the purposes of this course, leadership and ethics are defined as follows:

Leadership is an influence relationship among leaders and followers who intend real changes that reflect their shared purpose.

Ethics is, first of all, the discipline of dealing with the fundamental questions of "What is good and bad?" and "What is moral duty or obligation?" Ethics, particularly professional ethics, is also the particular rules or standards of conduct governing the members of an organization.

The terms leadership and ethics are different. The challenge midshipmen face is developing an appropriate understanding of the ethical dimensions of practical decisions and actions they will take as junior officers in the Fleet and Fleet Marine Force (FMF). The study of ethics should inform military leadership and provide a sound moral foundation for "real life" decisions.

- B. The content and structure of *Leadership and Ethics* are a direct result of input from previous students, instructors, and the CNET's NROTC Leadership Curriculum Review Board, in coordination with the Department of Leadership, Ethics, and Law at the United States Naval Academy.

The course includes key concepts from various fields in leadership, ethics, philosophy, theology, and law.

It is enriched through case studies, video segments, and information that comes straight from the fleet. This coordination of effort and compilation of reading and supporting materials should provide instructors and students a basic foundation of theory. Combining this theory with contemporary videos and opportune employment of current event topics will challenge the student, keep the course interesting, and improve the level of understanding and application of the subject matter.

- C. This course completes the NROTC preparations for midshipman commissioning as Ensigns and Second Lieutenants. The course integrates an intellectual exploration of Western moral traditions and ethical philosophy with topics such as military leadership, core values, professional ethics, the Uniform Code of Military Justice, and Navy regulations. The course provides midshipmen with a foundation in major moral traditions -- including Utilitarianism, Kantian Ethics, Constitutional Law, Natural Law Theory, and Virtue Ethics. This foundation, combined with discussion of actual current and historical events in the United States Navy and Marine Corps, should prepare them for the role and responsibilities of leadership in the naval service of the 21st Century. The course also includes a Senior Seminar of discussions relating to more concrete manifestations of the moral, ethical, and legal obligations of junior officers *vis a vis* enlisted members, juniors, peers, senior officers, the command, and the conduct of warfare.

II. Course Instructor's Guide and PowerPoint Presentations

- A. The course curriculum guide has been developed to provide instructors with a theoretical overview of each lesson. The guide was developed to provide a flexible package of suitable materials from which the instructor may choose in order to meet the "Reading" and "Discussion" objectives in each lesson.
 - 1. Reading Objectives include all objectives the student should cover for each lesson.

2. The Discussion Objectives provide recommendations regarding appropriate material to be covered in the classroom.
- B. Instructors are not expected to use all the materials in each lesson guide. Instructors are provided more material than can be used in a normal 1.5 hour block of platform/discussion-style training in order to meet the varying academic load available to each college or NROTC unit.
 - C. PowerPoint presentations have been constructed for the instructor's use and modification. Text and graphical versions are available for download from the Course Coordinator's website which will be provided to units via separate correspondence.
 1. PowerPoint class presentation: Includes a presentation on the discussion objectives and the available in-class exercise(s).
 2. Additional PowerPoint presentations, discussion material, and exercise-related material will be available on the website for instructors desiring to conduct additional training in Leadership and Ethics.

III. **Student Facilitation**

- A. The course is designed around faculty- and student-facilitated discussions. The topics and fundamentals surrounding moral and ethical decision-making require group discussion. Discussion-oriented education heightens the students' awareness of the topic and reinforces the necessity of learning leadership and ethics. Further information is contained in each lesson guide.
- B. Many lessons can, and should, be taught by the students. NROTC seniors are close to being officers in the Fleet and FMF. Teaching, group discussion facilitation, and mentoring will soon be part of their role as a leader in the naval service. Now is the time for students to begin practicing and improving these skills.

- C. Additional resources to improve student briefing, discussion, and communication skills are available as part of this curriculum and are provided on the website. An evaluation of the students' communications skills (writing, briefing, and discussion leadership skills) should be included in their final grade.

IV. **Guest Lectures**

This course is designed as a professional leadership and ethics forum. Virtually every NROTC campus has a program, department, or even college that contains faculty expertise in this area. Likewise, the Profession of Arms presents many people in the surrounding community with subject expertise. Instructors should take advantage of this commonality of interest and interact with these colleagues/professionals. Having distinguished faculty and military professionals present guest lectures reinforces the breadth of the subject. These guest facilitators should be seen as expert sources of advice on subject matter, instruction, and resources. Guest lectures should be an adjunct to the presentation/discussion, but not substitute for them. Be sure to explore thoroughly the on-campus availability of texts, periodicals, journals, and video/audio tapes supporting leadership and ethics instruction.

V. **Making an Impact**

Instructors who are assigned to teach this course should approach and embrace this course with the enthusiasm and preparation that these future naval officers, our service, and our country deserve. CNET has provided an excellent baseline of references and instructional aids, but do not stop with these. It is imperative that instructors vigorously pursue more current resources to give this subject the attention it deserves. Academia, politics, and our profession maintain continuous forums regarding the subject. That forum is part of the profession these midshipmen are about to enter. This is the Professor's, the Unit's, CNET's, and the individual's last chance to share a true understanding of leadership and ethics in an academic environment.

VI. **Additional Resources**

In addition to the materials provided by CNET, there are considerable resources available to make the course more meaningful to your students. Avoid lecturing straight from the text. Motivate your students by incorporating discussions, experiential exercises, "sea stories," and case studies into your class presentations. Use outside videos and articles. Be alert for current news articles or issues that address topics discussed in class. Again, pass these materials along to the Course Coordinator, so they can be shared with all NROTC units. If you have concerns about copyright infringements, contact the Course Coordinator, CNET, or the local expert at your university.

VII. Teaching Philosophies

- A. *Leadership and Ethics* is the capstone course of the NROTC academic curriculum with emphasis on values and the ethical foundations of leadership. This course directly supports our mission to develop Midshipmen and Officer Candidates morally, mentally, and physically, through focus on moral and mental development.

Moral development aspects of the course include readings and discussion of key virtues and core values, including honor, courage, commitment, responsibility, respect, service, and humility. Mental development is supported through study and discussion of ethical theories, which serve as bases for rational decision-making in a leadership context. These include faith, truth, virtue, duty, consequences, and leadership from within.

The goal of this course is to equip the soon-to-be commissioned officers with the moral and mental tools required for fair and objective decision-making, and to inspire them to adhere to the highest standards of character and integrity upon reaching the Fleet.

- B. The *Leadership and Ethics* Course can be organized in a number of ways, depending upon the particular strengths and interests of the instructor, the overall "theme" chosen, and the time and attention the instructor is willing to demand of the students. One of the ways to approach the course is to emphasize

different perspectives and the potential conflicts that may arise in considering ethical actions through different "lenses." In this approach to the course, there are two dimensions where perspectives foster fundamental differences in how an ethical decision is viewed and in what choices may be "correct." First and most obvious, there are the three major schools of philosophical thought: Virtue-based (Aristotelian), rules-based (Kantian), and ends-based (Utilitarian) ethics.

In his essay in the Ethics for Military Leaders text, Col Ficarotta makes the interesting point that we actually hold all three of these systems simultaneously. We are concerned with being a good person, of conforming with the "rules" of ethical behavior, and with doing "good," however that is defined. Thus, we are often conflicted in trying to arrive at what is right and ethical in a given situation. The conflicts arising from the contrasting standards and demands of the three ethical systems make for lively class discussions.

A second dimension of ethical conflict occurs when, as officers of the naval service, we look at the different identities/personas we hold simultaneously. We are members of the "brotherhood of man," beings of reason, obligated to others simply as a result of our being human. This is addressed primarily in our discussion of Aristotle, Kant, and Bentham/Mill.

We also have an identity as Americans, which implies a commitment to the ideals embodied in our founding documents (Declaration of Independence, Constitution, etc.). This dimension of our identity values freedom, self-determination, and individuality, among other virtues. We discuss important dimensions of that identity in our lessons on Liberty and Truth-Telling. Natural Law and Divine Command lessons permit some discussion of the nature of man and of the place of religion and religious belief in ethical problem-solving (one nation under God, . . .).

Finally, there is our identity as professional military officers. We address this dimension of who we are (or are about to become!) when we talk about

Constitutional ethics, Core Values, Just War Theory, the conduct of war, etc. Clearly, there are times and situations that will generate conflicting demands upon us as officers, Americans, and human beings. The instructor can stimulate discussion by recognizing those conflicts and the challenges of being a professional military officer in a society based upon individual freedom and self-determination in a world where we must treat even our enemy as deserving of consideration as a fellow human. Such discussion is effective in challenging students to develop their thinking within a complex environment where there are often no "right" answers.

This course should be viewed as the capstone course of the Naval Science curriculum. It should be sufficiently demanding that students perceive the importance that the Navy and Marine Corps places upon the development of a firm ethical basis for their behavior post-commissioning. For the most part, if the instructor engages the subject with enthusiasm and openness, students enjoy the course and develop important tools for the future. Failure to challenge them - or lecturing rather than engaging these future officers in discussion - does both the midshipmen and the Navy a disservice.

VIII. **Final Notes**

- A. As you develop or find additional exercises, cases, aids, etc., that prove effective for your class, pass them along to the Course Coordinator for distribution to other *Leadership and Ethics* instructors and to assist in future revisions and improvements to this curriculum.
- B. Use your campus libraries. If there are certain items you want or need, discuss the matter with the librarians and faculty colleagues.
- C. Use your Navy/Marine experiences to amplify and reinforce your course lectures, thus significantly enhancing the applicability to the midshipmen.
- D. Fully explore and use the resources identified in the lesson guides.

- E. Take advantage of the student creative component, in the form of written and verbal exercises included in the course. Not only will such exercises broaden and deepen the learning experience, they will also enhance the building of one of the most important officer skills -- communication. Along with exercises already built into the course, suggested assignments include one or more of the following:
1. Written case analyses
 2. Impromptu briefs
 3. Term papers
 4. Critical book analyses
 5. Written article briefs
 6. Current events briefs
- F. Consult campus policies about the preparation of syllabi. Ensure that you provide a complete course syllabus to students at the first class meeting. State the lesson sequence, assignments, details on the student creative component, test dates and types, attendance policy, grading scales, and other information you want the students to know.
- G. The material covered in the classroom and Senior Seminar should be readily applied during Naval Science Lab, the Midshipmen Battalion daily operations, and every aspect of midshipman life. Coordination with the Battalion Advisor and other academic advisors can enhance the daily application of the subject material. The NROTC staff provides daily examples of leadership and ethics for the students to follow. They are the primary learning resource for these young future officers.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 1

HOURS: 1.0

TITLE: INTRODUCTION TO THE LEADERSHIP AND ETHICS COURSE

I. Learning Objectives

- A. Students should comprehend the purpose of this course and the senior seminar lessons.
- B. Students should comprehend the need to apply lessons learned in this course to daily midshipmen battalion activities and their personal lives.
- C. Students should comprehend the need to apply material learned in the senior seminar materials during midshipmen activities and daily preparations for commissioning and their first tour of duty.

II. Instructor Notes

- A. This introductory lesson is designed to assist the instructor with presenting this course material to the students in a manner in which they will comprehend the purpose and intent behind the capstone course.
- B. It is imperative that the instructors identify the significance of this course as part of each student's final preparations to commissioning as a Naval Officer.
- C. Instructors should clearly delineate the purposes of the academic portion of the course and the senior seminar portions of the course. Instructors should clearly identify all expectations of the student with regard to academic curriculum, seminar or lab participation, and application of the material being learned to every day midshipmen or student activities.
- D. Instructors may want to hold a meeting with all seniors, the senior advisor(s), the Battalion Advisor, and the Commanding Officer at the beginning of the school year. The purpose of this meeting will serve

as a roadmap to ensure all key personnel and students realize the true extent to which the course will impact their future commissioning, and the extent to which each instructor is responsible for ensuring the PCCs of this curriculum are met. Remember, you must coordinate with everyone on the unit staff to ensure this capstone course is as effective and successful as possible during the entire senior year. Instructors should provide during this meeting a calendar of events to outline every aspect of the capstone course that will occur throughout the senior year.

- E. Samples of these resources are provided for your benefit. Instructors always have the right to modify their courses to meet the needs of their university. In no way does CNET mandate the use of the following items or require you to use the grading scales and topics included.
- F. These are samples that may or may not work for your unit. Each instructor should review all aspects of the training material, including the senior seminar topics at the end of this document. Instructors can vary requirements to fit the amount of time they have available in class, and the amount of time they can arrange outside of class -- in Labs, special Labs set up just for seniors, or time set aside during Battalion Activities -- as long as they meet the Professional Core Competencies and provide the professional preparation students need for commissioning. They should identify the lessons and reading assignments necessary to meet those objectives.

III. Lesson Outline

- A. This outline is provided as a tool kit for instructors to develop their curriculum. Various schools and NROTC units may require different correspondence for their course, such as syllabus, course statements, course calendars, etc. These are just a few common tools that an instructor can use as a baseline to develop their course materials.
- B. The following sample documents are attached for your use as you deem appropriate:

1. Course Welcome Letter
2. Course Policy Statement
3. Course Syllabus
4. Format for Short Papers
5. Recommended Short Paper Topics
6. *Leadership and Ethics* Course Project
7. Student Facilitation
8. Tips for Facilitation

IV. Summary

- A. This is the final course these young students will experience before joining the fleet and fleet marine force as junior officers. Instructors should leave nothing to chance, with the preparation of these young officers. Commanding Officers are responsible for ensuring the PCCs are met, but every instructor at the unit is responsible for preparing the NROTC graduates to be officers and, more importantly, effective leaders in the Naval Services.
- B. The materials and videos provided by CNET and the Course Coordinator are only a starting point for you as instructors. Experiences of the instructors and other staff members need to be shared with these soon-to-be division officers and platoon commanders. Likewise, other materials and resources can be purchased by unit funds (at the discretion of the CO/PNS) to help make this academic and senior seminar experience as successful as possible.
- C. If there are any questions regarding the material in the academic course or senior seminar, please do not hesitate to contact the course coordinator or Chief of Naval Education and Training Curriculum Development Office.

SAMPLE
Course Welcome Letter

This course builds on the leadership concepts you studied in *Introduction to Naval Science*, which examined leadership from a *values approach* (Naval Service Core Values) and *skills approach* (basic leadership qualities and followership); *Leadership and Management*, which took a *process approach*, defining leadership and management; and *Naval Science Lab*, which helped develop many of the skills and characteristics necessary of Naval Officers.

The challenge junior officers face in the Fleet and FMF is continuous, ever changing, diverse, and at times difficult to grasp. A solid foundation in leadership and ethics will help you remain true to your best self and to your profession. It will help you ensure the best care for your sailors and marines, and your fellow citizens to remain confident in you.

This course stresses facilitative group discussion. After achieving an understanding of the fundamental theoretical concepts of Western moral traditions and ethical philosophy, we will explore a variety of topics, such as military leadership, core values, professional ethics, the Uniform Code of Military Justice, and Navy regulations. Use this course to examine your own ethical foundation; to hone your skills in communicating, leading and influencing; and to put the finishing touches on your preparedness for the challenges awaiting in the Fleet.

Course content and material will help you understand the relevancy of key concepts presented in instructional sessions and relate them to the Fleet. You will find that the lessons learned also have an immediate application to the leadership environment and experiences in the NROTC Battalion.

This course is designed to arm you with a foundation to make solid ethical and moral decisions as a leader in the United States Naval Service. This is a capstone course, but your practical application began when you joined the NROTC program. You should continue to strive to improve your leadership skills during normal daily life and Battalion Laboratory sessions, and be prepared to be tested by your actions and decisions soon after you receive your first salute as a Naval or Marine Corps Officer.

SAMPLE
Course Policy Statement

Purpose: Welcome! This course is primarily a discussion of leadership and ethical decision-making. It requires your full attention. Your understanding of leadership and of personal and professional ethical standards will be challenged and developed. The goals of the course warrant and demand thorough preparation and enthusiastic participation. You and your fellow students will prepare and lead many of the class sessions. Your preparation and knowledge of the subject material is critical in our discussion-based seminar format. Many years of practical application prove that leadership is not a science but an art. Decisions and actions that may be effective in one situation will not necessarily provide a formula for success in the next.

In this course, you will develop an understanding of reasonable ethical leadership. We will examine fundamental theoretical concepts of Western moral traditions and ethical philosophy and then explore a variety of topics, such as military leadership, core values, professional ethics, the Uniform Code of Military Justice, and Navy regulations.

The content of this course has been designed to aid you in developing an ethical foundation that will serve you equally well during normal daily routine and in critical leadership roles and situations, both in the Fleet and beyond. This is the last, and perhaps most significant, course you will take in NROTC.

Grading Policy:

Seminar Participation	25%
Writing Assignments, etc.	10%
Course Project	10%
Midterm Exam	10%
Final Exam	25%
Class Participation	10%
Case Analysis/Paper	<u>10%</u>
Total	100%

Ensure that you read each session's objectives and complete the assigned reading to prepare for the class session seminars and exercises. You will be evaluated on your application of course concepts during class discussions, seminar facilitation, written assignments, battalion activities, and exams.

For your final grade, the instructor will also consider quizzes, in-class writing assignments and discussion, classroom

participation, current events and impromptu briefs, and homework. The assigned readings are fundamental to the course. Failure to regularly participate in class discussions and demonstrate proper preparation for class could result in the loss of one letter grade.

Course Conduct: *Leadership and Ethics* is a discussion-based seminar course. The instructor or student teacher acts as facilitator in order to ensure discussions include key concepts. Thorough pre-class preparation, active in-class participation, and demonstrated respect for your classmates' ideas are critical to the success of the course.

Class Attendance: Ensure that you receive all materials and notes from missed classes. Try to sit in on other sections or arrange to meet with the instructor if you must miss a class. You and your classmates will discuss a considerable amount of material in each session, and important course themes will carry over from one discussion to the next. You must be present to participate. A portion of your grade is class participation.

Writing Assignments: Submit out-of-class writing assignments in the following format: Double-spaced on white paper; 12-point Courier New type; 1-inch margins (top, bottom, left and right); and labeled with typed name, date, and section number.

Submit in-class writing assignments in a neat hand on white paper with your name, date, and section number in the top right corner of the page.

Professional writing ability is as much a part of an officer's toolbox as is their ability to wear the uniform and make decisions. Efforts to more effectively communicate your material will increase the chances for favorable grades. When appropriate, proper Naval format should be used for written and oral communication.

SAMPLE
Course Syllabus

From: Commanding Officer and Marine Officer Instructor
To: Students, Leadership and Ethics Spring 2002 (NAVS-402)
Subj: COURSE SYLLABUS; LEADERSHIP AND ETHICS SPRING 2002

1. Welcome to the realm of Navy and Marine Leadership and Ethics. This course is primarily a working group on leadership, which will include lecture, case studies, presentations, videos, guest lecturers, and group discussion.

The course is designed to provide all midshipmen with the ethical foundation and basic leadership tools needed to be effective junior officers and provide the outstanding leadership our country and Department of Defense will need in the 21st century.

You cannot be a leader if you are unable to communicate. Therefore, all students must participate in the working group. This course will provide you with the basics to develop your naval and personal leadership style. Leadership is not a science! However, there are effective and ineffective forms of leadership. Many things can render you an ineffective officer (and, therefore, a leadership failure). This class will help you succeed as a Naval Officer and leader of sailors and marines.

This course will be presented via two forums throughout this semester. The first portion is a discussion-oriented *Leadership and Ethics* course, intended to provide you with a broad understanding of the moral, ethical, and leadership principles of a professional naval officer. The second portion will provide you an overview of the duties, responsibilities, and expectations of a junior or company grade officer in the United States Naval Service.

2. Enclosure (1) is a tentative schedule. We will modify the schedule and syllabus as circumstances dictate.

3. Conduct of classes. Classes are mandatory. You cannot participate in the working group if you do not attend class. Consequently, class attendance will be included in the class participation grade.

4. Course requirements:

- A. Leadership Case Study. Each student will submit a case study, which discusses a leader. You must present the topic to get approval no later than *TBA*. Sample formats for Leadership Case Studies can be found in any "Navy Proceedings," "Marine Corps Gazette" magazine, "Leatherneck" or "Navy/Marine Times". The length of the book review should be five to eight pages. It must be typed and is due no later than *TBA*. Further guidance will be promulgated on *TBA*.
- B. Reading Assignments. *TBA*
- C. Presentations. You will be expected to lead a 10-15 minute group discussion on leadership as it pertains to your case study.
- D. Current Events briefing. You will be expected to provide a 5-minute presentation to your peers regarding a current event. You will choose the topic subject to instructor approval. Your briefing must highlight one of the leadership or ethics discussion points discussed in class and in this syllabus. Some topics may be provided by the instructor.

5. Grading. Your grades will be determined by the following:

Midterm	30 pts	A+	97-100
Final	20 pts	A	96-94
L&E Case Study	20 pts	A-	93-90
PME Presentation	10 pts	B+	89-87
Current Event	10 pts	B	86-80
Class Participation	10 pts	B-	82-80
	100 pts	C+	79-77
		C	76-73
		C-	72-70

6. Texts. Your primary text for this class will be Ethics for Military Leaders. Additional texts will include Naval Law, Naval Leadership: Voices of Experience, Uniformed Services Almanac, and the Naval or Marine Officer's Guide. Also, upon graduation, students will be issued a Naval Officer's

Guide or Marine Officer's Guide to retain as part of your sea bag of professional reading as you prepare to join the United States Naval Service.

SAMPLE
LEADERSHIP AND ETHICS SPRING 2002

January

10	Course Introduction (Video-Heartbreak Ridge)	CO/MOI
15	Introduction to Morale Reasoning <u>Chap 1 EML</u>	CO
17	Constitutional Ethics <u>Chap 2 EML</u>	CO
22	Intro to Mil. Justice/Authority of Officers	MOI
24	Utilitarianism <u>Chap 3 EML</u>	MOI
29	Kantian Ethics <u>Chap 4 EML</u>	CO
31	Uniform Class/Ordering/ Leadership Topics Due	XO/MOI

February

5	Truth/Face of War (Guest Speaker) <u>Chap 5 EML</u>	MOI
7	Core Values/Eagle, Globe and Anchor/Junior Officer Relationships (GYSGT-MCPO/GUEST SPEAKERS)	MOI
14	Liberty <u>Chap 6 EML</u>	CO
19	Justice <u>Chap 7 EML</u>	CO
21	Virtue <u>Chap 8 EML</u>	CO
26	Natural Law <u>Chap 9 EML</u>	MOI
28	Divine Command <u>Chap 10 EML</u>	CO

March

5	Just War Theory <u>Chap 11 EML</u>	MOI
7	Leadership Case Studies Due Conduct of War (Guest of Honor POW Colonel Neal Jones, USAF Ret.) <u>Chap 12 EML</u>	MOI
12	The Moral Leader <u>Chap 13 EML</u>	MOI
14	Crisis/Combat Leadership/(Guest Speaker)	CO/MOI
19	Communications of Junior Officer/ MIDTERM Review	CO/MOI
21	<u>Midterm</u>	MOI

April

2	Case Presentations/Counseling	MOI
4	Case Presentations/EVALS/FITREPS	MOI
9	Case Presentations/Accountability/Responsibility	MOI
12	Case Presentations/Off Records/OMPF/MBS/LES	MOI
16	CURRENT EVENTS/UCMJ/NJP/Captain's Mast	MOI
18	PCS/Reporting/Leave & Liberty Regs	MOI
23	Junior Officer Integrity and Development	MOI
25	REVIEW	CO/MOI
30	Final	MOI

SAMPLE
Format for Short Papers

MIDN Your Name
Section Number
Date

(Title in BOLD, 12-point font, centered)

Short papers (minimum one page, maximum two pages) are required in this course and in the Senior Seminar. Your instructor will explain specific writing requirements for these assignments. These assignments are to be written in the professional style used in the Fleet¹, not in the academic style of an essay.

The following specific format requirements apply: Indent paragraphs. Use 12-point Courier New font, double-spaced text, with one-inch margins (top, bottom, and both sides). No closing, signature, or "Very respectfully" is needed. *This is an exercise in your ability to follow simple directions.*

Written communication skills are a fundamental requirement for leadership success in the military. Therefore, proper GRAMMAR and PUNCTUATION, as well as correct SPELLING, are critical. Have someone you trust (friend, roommate, classmate) proofread your papers before you hand them in. Your computer spell-check feature is not enough to prevent errors. Your paper should be a "final product" -- something you would hand to your future commanding officer. It will represent you, so make sure it is done well.

As a junior officer, your writing will often make the most significant impact on your commanding officer's impression of you, especially in large commands. Ensure your paper has a point and that it makes that point, without belaboring it. You do not have to be brilliant; just express your ideas clearly, concisely, and with impact!

¹Consult *The Naval Institute Guide to Naval Writing*, pp. 22-30, by Robert Shenk, Naval Institute Press, 1997, for specific guidance.

SAMPLE
Short Paper Topics

Writing Assignment #1 (Due Lesson TBD)

Review the ethical decisions being made (or not being made) in the movie, A Few Good Men. Identify inappropriate decisions and actions in the movie. Identify more appropriate actions that could have been taken instead. Explain these actions in the form of a Point Paper to your future Commanding Officer.

Writing Assignment #2 (Due Lesson TBD)

Keeping in mind the ethical leadership qualities already discussed in readings and in class, write a 1-2 page paper on your ethical strengths and weaknesses. Include an example of an experience that helped you come to these conclusions and discuss your ethical and moral foundation, relating it to your future as a Naval Officer and leader of sailors and marines.

Writing Assignment #3 (Due Lesson TBD)

Write a 2-4 page preliminary inquiry into the circumstances surrounding the decisions made by the Marine Expeditionary Unit (MEU) Commanding Officer in the movie, Rules of Engagement. What are the basic facts, findings, and recommendations you would make to a Board of Inquiry or General Courts Martial Convening Authority if you were one of the investigating officers? Keep your recommendations short and concise, but support them with convincing arguments to convince the Flag/General Officer presiding over this incident how to proceed!

SAMPLE
Course Project

1. Assignment

You are required to identify an ethical leadership challenge facing junior officers in the Fleet and/or FMF, and develop recommendations to address that challenge. The *Leadership and Ethics* Course Project requires you to apply the course material to a real-world leadership challenge. This is your opportunity to look ahead and prepare yourself for issues you will face following commissioning. You must conduct research and build well-reasoned recommendations which you as a junior officer and your operational command can implement.

2. Project Grading

Your Instructor will:

- Assess your research and writing skills.
- Assess your conformance to the assigned tasking.
- Assess your use of concepts from the course and your ability to support your reasoning.
- Assess the applicability of your recommendations to Fleet division officers and platoon commanders.

3. Required Products

You will submit:

- A proposed topic and one page abstract, reflecting your plans and actions, including a preliminary bibliography with at least 5 references.

Instructor Note: If your university is located in a fleet concentration area, you may wish to enclose the following additional requirements:

You must include a proposed interview with an appropriate Subject Matter Expert (SME) or Naval Officer with experience in the subject, approved

by your Instructor, and a preliminary bibliography with at least 5 references.

A minimum of five interview questions, based on your research work, to be asked of your SME. You must cite at least one of the references from your bibliography in at least two of your interview questions.

- A rough draft of a 6-8 page research paper detailing your research and substantiating your conclusions and recommendations. **Due at Instructor's discretion.**

- A 6-8 page research paper in point-paper format summarizing your research and substantiating your conclusions and recommendations. This final report must be a smooth document. **Due at Instructor's discretion.** Mandatory report pages not included in the page count are:

- * Cover sheet
- * Endnote page
- * Bibliography with a minimum of 5 sources
- * Necessary appendices (i.e., pictures, drawings, tables, supporting data)

4. Due Dates

All items are due at the beginning of class on the indicated dates. Due dates may be altered by your Instructor.

Abstract:	Lesson 10
Rough draft of paper:	Instructor's discretion
Final paper:	Instructor's discretion

SAMPLE
Student Facilitations

Facilitating Seminar Discussions

**INSTRUCTOR NOTE: This is a sample format. You may have too many students to conduct your facilitation in this manner. This is just one of many templates for student facilitation. Instructor should relate the session discussion to the rest of the Leadership and Ethics curriculum.*

Students will be assigned curriculum lessons or subject matter and will facilitate two class sessions. Student-facilitated class sessions will approximate the following model:

1. Session Introduction
 - a. Conducted by the student, 5 minutes.
 - b. Introduce session concepts.
 - c. Answer student questions on reading and objectives.
2. Problem/Example-Based Discussion of Concepts
 - a. Conducted by the student, 15-20 minutes.
 - b. Students will introduce an experience or scenario (Battalion and then Fleet examples preferred) and lead the class in a discussion of the events in the context of the session concepts.
 - c. Film clips (no more than 5-10 minutes) and experiential exercises are strongly encouraged.
 - d. Students are graded on their ability to effectively apply the key theoretical concepts to "real world" situations.
3. Summary
 - a. Conducted by Instructor, 5-20 minutes.
 - b. Address lingering questions.

SAMPLE
**Classroom Discussion and Student Facilitation:
Teaching the Teachers**

Leadership and Ethics Student Class Facilitation

1. Student Facilitation

- Each individual should facilitate a minimum of two discussions.
- Each session should be graded, providing written feedback to the student.
- Allow the individuals to demonstrate improvement.
- Leave sessions for the instructor to re-establish the standard and the students to reorganize their thoughts.

2. Session Format: Getting Started

Session Introduction

- Conducted by the Instructor, 5-10 minutes.
- Introduce session concepts.
- Answer student questions on reading and notes.
- This is a brief REVIEW of the students' preparation.

3. Session Format: The Discussion

Problem/Example-Based Discussion of Concepts

- Conducted by a student or Student Team when assigned (Lessons 5-11).
- 25-35 minutes; constitutes the bulk of the session.
- This is where the LEARNING happens! This is what prepares you for the exams, and more importantly forces the realization that ethics is not inherent in every individual. Leading these class discussions can reveal to the student the fundamental reason they must study ethics -- to be prepared to make solid decisions as a person and as a leader.

4. Session Format: Discussion Method

- Introduce an experience or scenario and lead the class in a discussion of the events in the context of the session concepts (NROTC Battalion, Fleet).

- Several Techniques:
 - Film clips (<5 minutes)
 - Experiential exercises
 - Fleet or Battalion cases
 - Relevant articles
 - Skits or demonstrations
 - Small group work/discussion
 - PowerPoint presentation/briefing
 - Interactive discussion
 - Movies
 - Guest lecturers
 - Site visits

5. Session Format: Conclusion

Summary

- Conducted by the Instructor, 5-20 minutes.
- Address lingering questions.
- Add a Fleet focus if not already addressed in the example, demonstrating any relationship to the Battalion example (if discussed).
- Relate the day's discussion to the class's progress along the Leadership and Ethics curriculum.
- In-class writing or quiz.

6. Rationale Behind the Format

Flexible

- Keeps students engaged; lecturing is most strongly discouraged.
- Gives students ownership of material and presentation style.
- Teaches Fleet-relevant briefing/teaching skills.
- Sets some order, allowing for anticipation.

7. Prepping the Students

- Each team should meet with the instructor a minimum of 3-4 days prior to each session they facilitate.
- In each meeting, the student facilitator must make use of the instructor to ensure that he/she understands the session language and concepts and talks through the intended discussion problem, drawing out associations with the session concepts.
- Instructor evaluates, coaches, offers advice, and assists with resources.

- Video clips, case studies and session plans should be approved by the Instructor in advance.

8. Facilitation Resources

- Course Instructor Guide (held by Instructor)
- Session Cases (if available); may identify own
- Leadership Library (i.e., audio, video, writings)
- Professional journals (e.g., U.S. Naval Institute)
- Personal experience in Battalion and in the Fleet
- *Proceedings, Marine Corps Gazette, Journal of Leadership Studies, The Leadership Quarterly*, numerous journals in the behavioral sciences
- Navy publications (e.g., *Navy Times, Fathom, Approach*)

9. Assumptions

- EVERYONE accomplishes the reading and assigned notes/writings prior to coming to class.
- Instructors and student-led discussion teams may consider Question and Answer (QA) periods. If students do this, it should be under the assumption that the instructor will spot-check notes and handouts to ensure they properly reinforce the concepts and terminology used in the classroom.
- Instructor remains a resource during the problem discussion.

10. What are the important concepts?

- Identified in the lesson's reading and discussion objectives.
- Emphasized by the instructor in the student prep session and during the session introduction.
- Valuable concepts are not limited to these. Both the instructor and students may discover original and fertile ground for discussion during preparation and the discussion.

11. Do we have to cover every objective in the discussion?

- No. The objectives are testable, but they are designed as launching points.
- Underscores the importance of everyone preparing before class.

- Likely will lose the reflective value of a discussion if artificially attempt to associate a concept to it; however, the fact that a concept does not play in a particular problem may be a good topic to discuss.
12. We thought of a couple of great examples that show just what the book is talking about, but what if nobody understands them?
- Be prepared with a few.
 - Take 2-3 minutes to develop the background in a complicated or technically specific example.
 - If it's not working, drop it and go on with something else. Your prep should include more material than you can use.
13. How do we choose experiences or scenarios that best illustrate the relevance and utility of the important concepts while avoiding canned or contrived examples?
- Good question. Remember that among peers (especially among students), it is okay to shift examples.
 - Expand your video library beyond Braveheart and Happy Gilmore. Use your Company Officer or SEL as a resource.
14. I have an example, problem, experience for the discussion... now what?
- Tactics: Present the point, then ask questions.
 - Role play, then debrief with analysis of what actually happened.
 - Question, then feed parts of the scenario to the group as the discussion develops.
 - Experiential Exercise (consult Instructor or design one of your own); then, have the class apply it to key points.
 - Make a statement and challenge for response.
15. . . . and loose ends
- A script? Know what you want to say and what you want to do. Rehearse a bit, so your team members know what parts to play, but don't just read from a piece of paper or your slide show.
 - Big questions beget little answers; smaller questions beget better answers.

- Ask for examples or evidence when folks give statements or respond to your questions; do this as well when prepping as a team.
- Have responses to own questions; may need to jump-start the discussion.

16. The Ways You will be Evaluated

- Preparation.
- Success in demonstrating the session concepts in a discussion problem.
- Success in productively engaging the class in discussion. (NOTE: If your classmates fall asleep, you're not doing a good job.)
- Ask for feedback immediately following a session and listen to the feedback other teams get.

17. I'm Not Taking a Class in Education!

- No, you are not. However, much of what we do as Naval professionals is educating/counseling/ training.
- Discussion and practice are the best ways to meaningfully develop real personal application of the material and identify relevance of advanced concepts.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 2

HOURS: 1.0

TITLE: INTRODUCTION TO MORAL REASONING

I. Learning Objectives

A. Reading Objectives:

1. The student will know the difference between cultural relativism in social science and relativism as a normative theory of ethics.
2. The student will comprehend the pervasiveness of the psychological motivation of self-interest.
3. The student will understand why ethics is so hard to discuss and understand.

B. Discussion Objectives:

1. The student will comprehend the basic purpose and objective behind understanding moral reasoning.
2. The student will comprehend theories of relativism and apply them to right and wrong conduct.
3. The student will comprehend that psychological pursuit of self-interest is not necessarily inimical to establishing principles of morality or the rule of law.
4. The student will comprehend the difference between narrow, short-term self-interest and more enlightened or long-term self-interest.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 1

2. "Selective Unmasking" Exercise (attached)
3. "USS San Jacinto Responds to Yemeni Vessel's Distress Call" (attached). U.S. Press Release, Jan 11, 2001. Item can be found with more information online at:
<http://www.atlanticfleet.navy.mil/sanjac-yemeni.htm>.

B. Student Text: Ethics for Military Leaders, Chapter 1

III. Instructional Aids

- A. Chalkboard
- B. VCR/Monitor or projection system
- C. PowerPoint slides/projection system
- D. Video: Rules of Engagement

IV. Instructor Notes

- A. This is a seminar and group discussion-oriented lesson designed to be a one-hour block of learning. The instructor may choose to incorporate a variety of contemporary articles and current events to facilitate this discussion.
- B. Ensure students comprehend the difference between law, regulations, and rules and fundamental ethical decision-making.
- C. Ensure students understand the necessity of moral and ethical decision-making and how it will impact their role as decision-makers and leaders in the armed forces.
- D. In preparation for the follow-on class, the instructor should determine a "lead in" to Constitutional Ethics, as the last item discussed in class.
- E. Recommend the use of a five-minute film clip from the movie, Rules of Engagement, at the beginning of the class. In the beginning of the movie, Samuel L. Jackson must choose between saving the lives of his men

and honoring the rules of war. He uses force and kills a Vietnamese soldier in order to get a Vietnamese officer to call off an attack on his Marines. This scene identifies the key reasons why making ethical decisions and understanding ethics is so hard. It highlights the time pressures involved in ethical decisions, the importance of self-interest in ethical decisions, and the conflict those decisions can have with the "Law of War."

- F. There are more readings, exercises, and discussion questions than can be accomplished in most one-hour classroom sessions. The most important items that in this lesson are the reading assignments and video segment in the instructor's references, the "Selective Unmasking" exercise, and the *USS San Jacinto* discussion.

V. Lesson Outline

- A. Use "The Ring of Gyges" to identify the different levels of justification people may go through in deciding what is ethical and what is unethical. (The recent movie Hollow Man presents the same issue in a modern setting.)
 - 1. The study of ethics is a result of theories about the individual, society, the universe, religion, knowledge, and life.
 - 2. Life rarely offers a distinct choice between good and evil.
 - 3. Reinforcement of acceptable habits enhances good, ethical decision-making.
 - 4. Perceptions of what constitutes morality changes over time.
 - a. Explain the differences between Thomas Jefferson allowing slavery during his early years (even in death, Jefferson's will did not free his slaves), and today's continued push for equal civil rights of which Jefferson was a proponent. Explain how they

reflect accepted practices during different eras.

- b. Explain the age-old Japanese samurai method of *tsujigiri* (crossroads cut), and how the Japanese no longer endorse this tradition.
- c. Discuss the two factors that make ethics so hard:
 - (1) Time pressures.
 - (2) Limits of knowledge.
- d. Discuss the effects of emotion on ethical decision-making.
 - (1) Admiral Jeremy M. Boorda's suicide.
 - (2) Effects of combat on ethical decision-making.

B. The difference between cultural relativism and normative relativism.

1. Discuss cultural relativism.

- a. Different cultures have different moral codes.
 - (1) Discuss Darius' findings concerning the difference in the manner in which the Callatians and Greeks dispose of their dead.
 - (2) Discuss the purpose and necessity of Eskimo infanticide.
 - (3) Identify other cultural differences, such as those regarding marriage.
- b. Discuss the claims of cultural relativists and why these claims may not necessarily be truth.

- (1) Different societies have different moral codes.
 - (2) There is no objective standard.
 - (3) The moral code of our own society is merely one among many.
 - (4) There is no "universal truth" -- no moral truths that hold true for all people at all times.
 - (5) The moral code of a society determines what is right within that society.
 - (6) Judging the conduct of other societies is arrogant; we should tolerate these practices.
- c. Discuss the disadvantages of accepting cultural relativism as always being right.
- (1) Just because people disagree, does that mean each is correct?
 - (2) We would have to stop condemning the actions of other cultures, such as:
 - (a) The Nazi cleansing of Jewish people from the world.
 - (b) The Iraqi aggression towards Kuwait for their resources.
 - (3) The idea of moral progress would never occur.

2. Discuss normative relativism.

- a. All cultures have some values in common.
- (1) Human infants are helpless and cannot survive without care.
 - (2) Truth-telling is acceptable in all societies.

- (3) Murder is unacceptable in all societies.
 - b. There are some moral rules acceptable in all societies, because those rules are necessary for society to exist.
 - 3. Discuss the differences in the two doctrines.
 - 4. Discuss the danger in assuming everything we do in our society is correct.
- C. Discuss perspectives on organizations, such as the military and the United States Naval Services.
- 1. Members who wear the uniform are serving as agents of our nation.
 - a. The informal rules and conduct of an organization must conform to acceptable ethical standards and moral conduct. Use progressing examples to discuss the changes in the military over the years and the influences that forced those changes.
 - (1) "Tailhook"
 - (2) "Blood-winging" (An age-old tradition of pinning the wings or other uniform emblem through the service member's clothing into their skin as a sign of brotherhood, commitment, and egotistical bravado.)
 - (3) "Shellback initiation" (This age-old ceremony is conducted when virgin sea goers cross the equator for the first time and are initiated into the world of experienced seamen.)
 - b. Culture of an organization.
 - 2. Decisions may not always be based on rules, laws, or regulations.

- a. Laws are written in retrospect and by legal experts -- not by ethical experts.
 - b. Laws and regulations cannot be extremely precise for every incident or instant.
3. The "bottom line":
- a. Our profession requires a distinguished ethical code.
 - (1) It is not always written, nor easy to understand or execute.
 - (2) It is specific, complex, and binding on all who wear the uniform.
 - b. We may have to lay down our lives in the service of our nation or risk/sacrifice the lives of those under our command. Therefore, although our service's ethic is complicated, it is the moral responsibility of everyone in it.

VI. Discussion Questions

- A. What differences in moral standards can you point out between different cultures? (Provide examples.)
- B. What moral values are shared between cultures?
- C. How do you think most people would act if they had "The Ring of Gyges?"
- D. How would you act if you had "The Ring of Gyges?"
- E. Why do you think people behave morally? Is it because they fear punishment or ostracism, or is it because they believe in doing the right thing? Is it because people believe they are following higher orders?
- F. Is telling the truth more important than avoiding harm or death to others?
- G. Suppose you could save the lives of thousands of people from certain death by killing a single innocent

person. Would that be permissible? Would it be moral?

- H. Imagine that five of your fellow midshipmen are ill and that you own the only drug that would cure them. Are you obligated to give them the medicine? What if you only have enough to cure two of them? How would you decide what to do? Would their ability to purchase the medicine (some can, some can't) influence your decision on who gets the medicine?

VII. In-Class Exercise

- A. Students should be required to interpret a reading or case study as a pre-cursor to the class.
- B. Many potential topics can be discussed. To ensure the relevance of the topic, and considering these future officers may actually have to face a similar situation, follow these simple rules when selecting a case study:
 - 1. Keep the topic original.
 - 2. Ensure it is contemporary.
 - 3. Choose a topic that has importance to your students as students, midshipmen, or future officers.
 - 4. Ask yourself:
 - (a) Will the students relate to this topic?
 - (b) Does it include a moral and ethical dilemma?
 - (c) What are the current regulations and laws that apply to this dilemma?
 - (d) Is the issue interesting and difficult to solve?
 - (e) Is there a more relevant or interesting issue that could be used?

- C. Some examples of recent issues when this edition of the *Leadership and Ethics* curriculum was written include, but are not limited to:
 - 1. The potential concern over the future of the Osprey aircraft in the United States Marine Corps.
 - 2. The concern over military readiness to fight two major regional conflicts simultaneously.
 - 3. The use of military force in support of humanitarian operations in foreign countries, and the resulting degradation in military readiness.
- D. Conduct the "Selective Unmasking" Exercise (attached).
- E. Review the U.S. Press Release regarding the "USS San Jacinto Responding to a Yemeni Vessel's Distress Call," of Jan 11, 2001 (attached).

VIII. Supplemental Learning Opportunities

- A. Review subtle differences in military services, particularly those that may be founded in service culture or ethical differences.
- B. Review your own deepest moral values. What qualities do you look for in other people, as well as in yourself? Are those values you think everyone shares? What influenced these values? Do you believe any of your values may be challenged by military service?
- C. Review Reading 5, "Rescuing the Boat People," from Ethics for Military Leaders and discuss in detail.

"Selective Unmasking" Exercise

- A. This "Selective Unmasking Procedure" is designed to force the students to make specific decisions about who in their organization is more valuable to its survival and the accomplishment of its mission. Using any outside equipment (such as gas masks, videos, or military equipment) can make this exercise informative and interesting.
1. Divide the class into squads or smaller units. Order each squad leader or small unit commander to perform the "Selective Unmasking Procedures." Provide the following information to each unit; then give each squad or small unit 10-15 minutes of discussion to determine who will unmask and in what order.
 2. Assume your class is a Marine Rifle Platoon, or a special operations team, conducting advance force reconnaissance or special operations in a CBR environment. Intelligence reports identified an immediate CBR threat sixteen hours earlier. You, the mission commander, have lost communications with higher headquarters for the last eight hours, due to your unit's need to evade enemy contact in rough terrain and vegetation.
 3. Members of your smaller units have begun to vomit, pass out, and hallucinate from dehydration in the hot, protective equipment and gas masks and from the humid environment. You do not have the equipment to determine the level of toxicity or potential traces of CBR agents in the atmosphere. You (the instructor), performing the role as the Mission Commander, determine it is time to selectively unmask to protect your unit from further unnecessary heat casualties and to ascertain the real CBR threat in the area. You have contact with each of your smaller units via tactical radio.
 4. It is becoming treacherous to continue conducting tactical operations under protective CBR clothing (gas mask, plastic protective suit, etc.) due to heat, dehydration, visibility, combat ineffectiveness, etc. You believe there is no more threat of NBC residue or agents in the air, but the appropriate technical equipment to detect NBC agents is unavailable.

5. A member, or members, of a unit must be directed to unmask (i.e., remove his/her protective equipment, such as a gas mask), and his/her condition and reactions will be observed for a minimal amount of time to see if any CBR agents are in the local area. You, as the Unit leader, have to selectively unmask certain individuals to determine if an NBC threat still exists. You will also have to prioritize the order in which everyone unmask, in case individuals react differently to possible contaminants in the air.
- B. After the small unit leader has determined who will be the first potential victim of selective unmasking, and determined the priority order everyone will unmask, have them record their team's reaction; and then discuss the following questions:
1. How did you determine who would unmask first?
 2. Did the leadership unmask first, in compliance with the culture of "leading from the front?" If so, did you consider the impact on the combat effectiveness of the organization, if he/she is injured or becomes ill? Was this a good idea in retrospect?
 3. Should you ask for volunteers? If you do, what happens if the volunteers are the most essential personnel to your mission?
 4. Should you order injured, weaker, or less vital team members to unmask first?
 5. If you have no volunteers, or simply decide to order someone to unmask, what do you do if these individuals do not follow those orders? Do you forcibly unmask them? If so, who do you order to use force to unmask them? What if these people are compelled not to comply with your orders?
- C. Suggestions to facilitate this exercise:
1. Explain the "Selective Unmasking Procedure" in general terms. Use existing DOD, Joint, or service-specific Nuclear, Biological, and Chemical (NBC) policy, terms, and procedures (such as Army and Marine MOPP levels) to make this more effective and more interesting.

2. Break the class into thirds and require your squad leaders, or small unit commanders, to identify the organization and chain of command of their smaller unit, before you order them to perform the "Selective Unmasking Procedures" and decide who to unmask. (For the sake of time, recommend class break-down using any already existing organization, billet holders, etc., to reinforce their role as leaders and make the decision very personal.)
3. Take the students out of the classroom, preferably into a wooded or shaded area outside, where they can separate from other groups to begin their deliberation. This will put them in an environment (and a mind-frame) that seems more realistic.
4. Put a time limit on the decision to be made. (Recommend no more than 15 minutes.)
5. Allow them to ask questions before taking them outside and then observe the discussion from a distance, forcing the leadership to facilitate the decision process and make the decision.
6. Use props (such as gas masks, video, posters, or realistic scenario information) to make the situation seem realistic and something they might have to deal with one day.
7. Ensure discussion remains oriented to the decisions of each team leader and how they arrived at their final selection.
8. Assign roles to each member of the unit, such as corpsman, assistant team leader, injured member who has passed out, machine gunner, navigation expert, etc., to encourage debate on such topics as:
 - a. Who should unmask when?
 - b. Is it ok to unmask the guy who is unconscious?
 - c. Should the team leader be first, or is he more important to the mission?

- d. Should personnel more important to the mission go first?
 - e. Should the corpsman go early or later in case there is a reaction to something in the air?
(Did they put their personal health before people more important to the mission?)
9. Review the feelings or discussion experienced by those selected to unmask and how it pertains to ethical decision-making.

**This exercise was developed by Captain Timothy W. Thomasson, USMC, for the sole purpose of leading a contemporary discussion regarding Leadership and Ethics, 2002. This exercise does not necessarily reflect current procedures in use by the United States Department of Defense.*

USS San Jacinto Responds To Yemeni Vessel's Distress Call

GULF OF OMAN, Jan 1, 2001 - The Norfolk-based cruiser *USS San Jacinto* (CG 56) recently responded to the distress call of a small Yemeni boat 60 miles off the coast of Yemen. The boat experienced engine problems, stranding its 11 Yemeni passengers at sea for 10 days.

At 2:02 p.m. local time, a Navy SH-60B Seahawk helicopter attached to the warship discovered the boat with people on deck waving their arms wildly. The helicopter, permanently assigned to Helicopter Antisubmarine Squadron 42 Detachment 8, based out of Mayport, Fla., was on a routine patrol and relayed the information to *USS San Jacinto*, which then changed course to render assistance.

"The passengers appeared physically drained and they had exhausted their supply of food and water," said BM3 Abdulkarim Mohamed, *USS San Jacinto's* Yemen-born interpreter. "We used our small boat to provide them with enough food and water to make it back to shore."

"The crew had rigged a makeshift sail, but it was clear that the rig was not working out too well," said Ensign Brian Maynard, one of *USS San Jacinto's* boarding officers assisting in the replenishment effort. "I'm glad we were in the right spot at the right time."

USS San Jacinto towed the boat to the Yemeni port of Ghubbat Al Mukalla where the boat and crew were turned over to a Yemeni pilot vessel for the final tow in to the pier.

"San Jac Sailors were anxious to help out the crew of the stricken vessel," said Capt. Craig Langman, *USS San Jacinto's* commanding officer. "They were fellow sailors who needed a little help, and we were happy to oblige. There are no nationalities out here when it comes to someone in need."

The Yemeni passengers were indeed very grateful to the *USS San Jacinto* crew, thanking them over and over again as the cruiser rendered assistance. One passenger, an elderly gentleman, expressed his gratitude with tears of joy. "God bless you," a passenger said as *USS San Jacinto* turned the stranded boat over to the pilot vessel.

"We were fortunate to be in a position to be able to lend a helping hand," said Rear Adm. Jim McArthur, commander of the Harry S. Truman Battle Group. "It is common for our forward-deployed naval forces to assist those in distress on the high seas. It is satisfying to be able to extend a helping hand to friends in peril and be able to make a difference."

USS San Jacinto deployed Nov. 28 with the *USS Harry S. Truman* Battle Group and will return to its homeport of Norfolk, Va., in late May.

**This article was taken from the U.S. Atlantic Fleet website, for the sole purpose of leading a contemporary discussion regarding Leadership and Ethics for Navy ROTC students. This article is a CHINFO press release by the U.S. Atlantic Fleet on 11 January 2001.*

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 3A

HRS: 1.0

**TITLE: CONSTITUTIONAL ETHICS AND THE MORAL OBLIGATIONS OF
MILITARY SERVICE**

I. Learning Objectives

A. Reading Objectives:

1. The student will comprehend the constraints imposed on the military by the Constitution of the United States.
2. The student will comprehend the historical, moral and ethical justification of military service.
3. The student will comprehend the four principles of the Constitutional Paradigm.
4. The student will comprehend the four prerequisites to Principle IV in the Constitutional Paradigm.

B. Discussion Objectives:

1. The student will comprehend the moral standards to which military professionals are held. Compare and contrast those standards with those followed by members of the general public.
2. The student will apply the constraints imposed on the military by the Constitution of the United States to the supplied scenario(s).
3. The student will apply the four principles of the Constitutional Paradigm to the supplied scenario(s).
4. The student will apply the four prerequisites of principle four in the Constitutional Paradigm to the supplied scenario(s).

5. The student will comprehend the paradoxes of a military chain of command in a democracy.
6. The student will be able to discuss Clausewitz's remarks regarding the military serving the national interest, and comprehend the tension between universal human values and service to the state.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 2
2. "The Basis of Leadership," Naval Leadership: Voices of Experience, 2nd ed., pp. 8-18
3. "Spiritual Welfare," Naval Leadership: Voices of Experience, pp. 461-467
4. Constitutional Ethics/Bill of Rights:
http://www.archives.gov/exhibit_hall/charters_of_freedom/bill_of_rights/amendments_1-10.html
5. U.S. Historical Documents:
<http://www.law.ou.edu/hist/>

- B. Student Text: Ethics for Military Leaders, Chapter 2, Overview and Readings 1, 2, 3 and 6.

III. Instructional Aids

- A. Chalkboard
- B. VCR/Monitor or projection system
- C. PowerPoint slides and projection system
- D. Video Segments (optional). (NOTE: Video resources can be attained in accordance with The "List of Instructional Aids," in the course introduction.)
 1. "LtCol Ollie North's Congressional Testimony"
Segments of the video can be used to facilitate discussion surrounding LtCol North's decision to

disobey direction from congress in the Iran Contra Affair.

2. Gettysburg

IV. Instructor Notes

- A. This is a seminar and group discussion oriented lesson established as a one-hour block of learning. The instructor may choose to incorporate a variety of contemporary articles and current events to facilitate discussion.
- B. If a naval officer had to approach every new ethical dilemma as if it existed in isolation, the likelihood of consistently making the right, good, and proper choice would be very slight. Only by making choices from an overarching ethical reference point can the officer fulfill the moral obligations of one in whom is vested the special trust and confidence of the commission.
- C. The Constitution describes with considerable clarity the roles of the military relative to the various branches of government. Knowledge of and adherence to those provisions is the surest guide to the kind of ethical behavior the nation expects of its military. Only such ethical behavior can preserve the trust between "citizens and soldier." Absent that trust, the resources for an adequate defense are unlikely to be forthcoming.
- D. Religions profess universal human values that are or can be in conflict with the constitutional priority of loyalties. Examples can be Separation of Church and State, and moral imperatives (Thou shall not kill) versus fighting/killing in service of the national interest.
- E. Many people believe morality has a special relevance to the profession of arms. In the United States, the military is charged with the responsibility of protecting the Constitution. This responsibility might require military personnel to be held to higher moral standards than are civilians.

- F. Military personnel sometimes find an acute conflict between their conscience and superiors' orders. Figuring out whether one may disobey an order depends upon an understanding of the military's place in society.
- G. "LtCol Oliver North's Congressional Testimony" (optional video segment) is a great lead-in to this class. (Notes attached to this lesson guide are provided to help instructors facilitate the discussion on this subject).
- H. "Gettysburg" (optional video segment) - This segment portrays a conversation between General Lee and General Longstreet about the battle of Gettysburg. Lee wants to order the attack that will later become known as the disastrous "Pickett's Charge." In this discussion, Longstreet argues against sending his men to almost certain death. This segment offers a good venue for discussing orders and the ethical dilemmas officers must sometimes face in this profession.
- I. "A General Salutes by Quitting" (an article written by Richard J. Newman, and published in "U.S. News and World Report," August 11, 1997) is one of many articles that highlight the situation surrounding the resignation of an Air Force Chief of Staff. This and many more articles can be found on the internet or in your local library. The circumstances surrounding his resignation include disagreements with Congressmen and the Secretary of Defense over the production of certain aircraft, U.S. Air Force and Military readiness issues, a female pilot accused of adultery, and the sensitive issue of the Defense Secretary's desire to fire or punish an Air Force General for an incident in which an airman died in a terrorist attack. These issues make great discussion items for constitutional ethics.
- J. In preparation for the next class, the last item discussed in class should be a "lead-in" to Utilitarianism.

V. Lesson Outline

- A. The origin and definition of Constitutional Ethics. Discuss the concerns the founding fathers had about creating a standing military and how those concerns evolved into a strong faith and confidence in a standing military.
 - 1. Militia versus a standing army throughout our history until World War I.
 - 2. Demands of the U.S.'s role as a world leader versus demands for isolationism.
 - 3. The impact of modern warfare on the need for a standing military.
- B. The four constraints on the exercise of Military Force.
 - 1. Presidential Constraints: The President is the Commander-in-Chief of the Armed Forces. (For example, Truman relieved McArthur for public disobedience during the Korean Conflict.)
 - 2. Congressional Constraints:
 - a. Congress has the power of the purse! It defines budgeting constraints and direction.
 - b. Congress also has the power to make regulations. (For example, the UCMJ and administrative regulations, such as health care and retirement.)
 - 3. Judicial Constraints:
 - a. Courts are most likely to intervene in military cases when those cases involve civilian institutions.
 - b. Use contemporary examples. (For example, a judge ruled that the Marine Corps could not prohibit dependents of Marines stationed in Okinawa, Japan, from traveling to and living in Okinawa at their own expense.)
 - 4. The "Supreme Law of the Land:"

- a. Constitution. (For example, Articles of the Constitution.)
 - b. Treaties and International Law. (For example, the Geneva Convention of 1949.)
 - c. Generally accepted international practice. (For example, the Law of the Seas.)
- C. The four principles of the Constitutional Paradigm.
- 1. Principle I: Resolve ethical conflicts through application of the Hierarchy of Loyalties:
 - a. Constitution
 - b. Mission
 - c. Service
 - d. Ship or Command
 - e. Shipmate
 - f. Self
 - 2. Principle II: Resolve conflicting loyalties before acting upon differences in priorities. (The Chain of Command can assist you with understanding ways to resolve dilemmas with priorities.)
 - 3. Principle III: Resolve yourself to Principles I or II, or consider removing yourself from the situation or resigning.
 - 4. Principle IV: If you find the ethical issue at stake too important and too immediate to allow you to resolve it by reference to the first three principles, you can choose to disobey.
 - a. There are four prerequisites that must be accomplished/in place before resorting to Principle IV within the Constitutional Paradigm.

- (1) Issue must be a fundamental violation of Justice and you must attempt to effect changes within the system before resorting to disobedience.
 - (2) Disobey in public, with prior notification whenever possible.
 - (3) Be willing to accept the consequences.
 - (4) Then you must act intentionally, or fail to act, in a manner contrary to the Constitution, service regulations, or first principles without notifying superiors and giving them a chance to resolve your dilemma.
- b. Students should comprehend the reason for confronting situations when principles conflict each other so greatly that individuals may consider putting other principles higher than Principles I or II.

VI. Discussion Questions

- A. Are military professionals bound by higher moral ethics than the average civilian, or are they held more strictly to the moral principles that should apply to everyone equally?
- B. How could a midshipman in trying to change an NROTC regulation with which he/she disagrees apply the constitutional paradigm? Are there better ways to approach disagreeable regulations?
- C. How do we distinguish just from unjust laws? According to Martin Luther King, Jr., what are our responsibilities if we choose to disobey an unjust law?
- D. Do military leaders have a special responsibility to look after the "ethical health" of their subordinates?
- E. Besides responding swiftly to violations, what methods can one employ to reinforce the high ethical standards

required in the military? Consider this in your current role in college, the NROTC program, and your future position as a Naval Officer.

VII. In-Class Exercise: Iran-Contra Case Study Discussion Questions

- A. What circumstances led up to the Iran-Contra scandal?
- B. In this instance, do the ends justify the means?
- C. What was the basis of LtCol North's decision-making process?
- D. How do you think he arrived at his conclusions?
- E. Do you think his violation of the Constitution would have been justified if it saved lives?
- F. As his fellow officer, would you have stopped LtCol North? If so, what would you have done to stop LtCol North from committing these acts? How far would you have gone?
- G. What would you have done if you had found yourself in LtCol North's position and had been issued similar orders?
- H. For those instructors and programs with considerably more time to cover this and other topics, an entire case study on this topic has been included as an attachment to this lesson under Supplemental Learning Opportunities. Utilize this material as appropriate for your particular classroom environment.

VIII. Supplemental Learning Opportunities

- A. Review current events for new cases.
- B. Review current NRA rules and whether current laws infringe on your constitutional right to bear arms.
- C. Review the articles in the Constitution which address "authority," such as Article 1, Section 8 (Congress' ability to influence military operations through granting or withholding funding). Use examples such

as Congress' limiting of funding for Bosnian peacekeeping operations until the President discussed the role and purpose of the military with them.

- D. Review the articles in the Constitution that allow the judicial branch influence over military operations (Article 3).
- E. During "LtCol North's Congressional Testimony," he explains why he misled the Congress. He claims that a higher purpose justified his actions. Discussing this video clip can help stimulate a discussion of the Constitutional Paradigm and Congressional (civilian) authority over the military.
- F. Compare and contrast General Fogleman's actions to the actions of General McArthur in the context of the constitutional paradigm. General Fogelman resigned from his post as the Air Force Chief of Staff because he deeply disagreed with some of the actions of Congress and the Secretary of Defense. He has been reviled and condemned by people on both sides of the disagreement. Is he following Principle IV of the constitutional paradigm?
- G. Describe how Rev. Martin Luther King, Jr. differentiated between just and unjust laws, and explain his rationale for violating certain laws.
- H. Case Study: Iran Contra Affair (Additional Guidance)

***NOTE:** This case study will help students more thoroughly understand the following topics with relation to this course. These items are identified to help the instructor prepare for discussion on the Iran Contra Affair. Use this portion of the guide to deliberately plan your conversation on this topic. It can provide additional items for discussion that instructors may or may not consider.

- 1. Discuss the importance of knowing the moral and ethical responsibilities of a military leader.
- 2. Discuss the relationship of integrity, moral courage and ethical behavior to authority, responsibility and accountability.

3. This case study will help the students understand the standards of conduct for military and government officials.
4. This case study can help identify the conflicts in loyalties or value systems which can influence adherence to ethical standards.
5. This case study highlights the importance of complete honesty in communicating with seniors and the consequences of withholding information from the chain of command.
6. This study will help highlight possible courses of actions when a service member is confronted with an unlawful order.
7. You may choose to conduct role-playing. A suggested scenario: Allow the students to design their own "hearings" into the Iran-Contra Affair, with one student assuming the role of Oliver North to answer the panel's questions. The hearing should focus on the ethical issues faced and decisions made by Oliver North.
8. Additional discussion questions for consideration on this case study:
 - a. What morals or values were involved in this case?
 - b. Was Oliver North's loyalty misplaced and why? How should he have resolved the dilemma of conflicting loyalties?
 - c. Did Oliver North receive any unlawful orders and, if he did, from whom and what were they?
 - d. What course of action should Oliver North have taken when confronted with these unlawful orders?
 - e. Which Bedrock Standards of Conduct articles apply to this case (1/2/4/12/13/14/16) and why?

- f. Should Oliver North's superiors have been held accountable for their actions in this case and why?
- g. Should Oliver North have been held accountable for his actions based on the fact his superiors knew what he was doing?
- h. Do your military officers have the duty to violate policy if they feel their actions are in the nation's best interest, particularly when there are lives at stake?

Constitutional Paradigm

This outline will provide a context in which to discuss the Constitutional Paradigm.

First Principle:

Priority of Loyalties
Constitution vs. Mission vs. Service vs. Unit vs. Subordinates
vs. Shipmate or Fellow Marine vs. Self

Second Principle:

If loyalties conflict, resolve them, then act.

Third Principle:

If conflicts cannot be resolved, then resign.

Fourth Principle:

If you oppose authority, then accept the consequences.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 3B

HOURS: 1.0

TITLE: INTRODUCTION TO MILITARY JUSTICE AND DISCIPLINE

I. Learning Objectives

A. Reading Objectives:

1. The student will comprehend the purpose, scope, and constitutional basis of U.S. Navy Regulations and the UCMJ and relate these regulations to personal conduct in the military service.
2. The student will comprehend the concept of jurisdiction.
3. The student will know how discipline and punishment differ.
4. The student will know how to relate discipline to counseling.
5. The student will know administrative methods used to maintain good discipline.
6. The student will know the correct means of using Extra Military Instruction (EMI) at the division level.

B. Discussion Objectives:

1. The student will comprehend junior officer responsibilities relative to the military justice system and will know essential publications relating to military justice.
2. The student will be able to apply the basic principles of the military justice system as a junior officer.

II. References and Texts

A. Instructor References:

1. Division Officer's Guide, 10th ed., Chapter 6
2. Manual for Courts Martial
3. Naval Law, 3rd ed., Chapters 1, 2, 3 and 4
4. OPNAVINST 3120.32 (Series), SORN

B. Student Text: Naval Law, 3rd ed., Chapters 1 and 2

III. Instructional Aids

- A. Chalkboard
- B. Easel
- C. Overhead projector
- D. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- E. VCR/Monitor or projections system
- F. Videos (optional):
 1. A Few Good Men
 2. Rules of Engagement
 3. Men of Honor

IV. Instructor Notes

- A. This is a seminar- and lecture-oriented lesson. It is established as a one-hour block of training to bridge the gap between constitutional ethics and the most basic understanding of when and where Military and Naval Law developed.
- B. Instructors should ensure students have a very basic understanding of the learning objectives and ensure each student grasps the basic evolution of Naval Law. It is this fundamental understanding that will help them combine the ethical knowledge they gain over the rest of

the course with their responsibilities and legal expectations as a Naval Officer.

- C. Video Segments (optional). Video resources can be obtained in accordance with guidance in the "List of Instructional Aids" section of the Course Introduction. Video introductions are abundant for this lesson. Suggested video segments include, but are not limited to, selections from A Few Good Men, Rules of Engagement, and Men of Honor. These and other videos can easily be used to get the students' attention at any time during the class and to show aspects of military justice.
- D. Instructors should make every effort to introduce contemporary material, such as news and current events or "sea stories," that show midshipmen they will be dealing with legal issues early in their career.

V. Lesson Outline

- A. Introduce the students to these sources of information on military and naval law. At a minimum, present and explain the following items to the students so they will be knowledgeable of the items' purpose and the scope of their information on legal issues.
 - 1. U.S. Constitution
 - 2. Manual for Courts-Martial
 - 3. Uniform Code of Military Justice
 - 4. JAG Manual
 - 5. Service regulations
 - a. U.S. Navy Regulations
 - b. OPNAVINST 3120.32 (Series), SORN
 - 6. Define the various court choices and their ramifications:
 - a. Court of Military Review
 - b. Court of Military Appeals

- c. Civilian appellate courts
- B. Ensure the student understands a military authority must have jurisdiction:
 - 1. Over the offense
 - 2. Over the person
 - 3. Subject to service-connection rule
 - 4. "Former Jeopardy" or "Double Jeopardy"
- C. Ensure they understand the definition of discipline and how it relates to:
 - 1. Voluntary compliance with Navy standards of behavior
 - 2. The right attitude
 - 3. Discipline is not the same as punishment
 - a. Punishment is only awarded by NJP or courts-martial
 - b. Superiors set the example through self-discipline
 - 4. Discipline as a controlling process
- D. Explain factors that negatively affect discipline
 - 1. Lack of information on part of subordinates
 - 2. Lack of interest on part of seniors
 - 3. Slackness in command
 - 4. Instability (frequent changes, transfers, etc.)
 - 5. Low morale or disappointment with the military life
- E. Disciplinary action Officers at the division officer/platoon commander level can take:

1. Withholding/Granting privileges
 - a. Recommendation for advancement
 - b. Special requests
 - c. Praise
 - d. Job assignments
 - e. Working hours
2. Extra Military Instruction (EMI)
 - a. Limitations as discussed in the reading
 - b. Must be supervised
 - c. Maximum amounts
 - d. Must be related to deficiency
3. Cannot deny rights but can withhold privileges

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 4

HOURS: 1.5

TITLE: UTILITARIANISM

I. Learning Objectives

A. Reading Objectives:

1. The student will comprehend the moral standard of utilitarianism.
2. The student will know and define the difference between the quantity and quality of "utility."
3. The student will comprehend the difference between "act" utilitarianism and "rule" utilitarianism.
4. The student will recognize utilitarianism as a consequentialist moral theory.
5. The student will comprehend the major differences between Bentham and Mill's versions of utilitarianism.

B. Discussion Objectives:

1. The student will comprehend the terms "audience" and "utility" as related to utilitarianism.
2. The student will comprehend the considerations for formulating a rule and apply them by identifying or creating a rule or rules based on a given case.
3. The student will comprehend and use the Checklist for Applying Rule Utilitarianism and the Checklist for Applying Act Utilitarianism in a given case.
4. The student will comprehend the distinction between "lower" and "higher" pleasures.

5. The student will comprehend and apply the utilitarian theory to the economic system of capitalism.
6. Apply the utilitarian standard to an analysis of conduct in specific cases.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 3
2. Just and Unjust Wars, pp. 151-159
3. Relativism Web Resources:
 - a. <http://www.friesian.com/relative.htm>
 - b. <http://web.ukonline.co.uk/g.mccaughan/g/essays/utility.html#one>
 - c. <http://www.utilitarian.org/faq.html#will>

- B. Student Text: Ethics for Military Leaders, Chapter 3, Overview and Readings 1, 2, 3 and 5.

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. VCR/Monitor or projection system
- D. Video Segments (optional):
1. A Few Good Men
 2. The Rock
 3. U-571
 4. Crimson Tide

III. Instructor Notes

- A. This is a seminar and group discussion-oriented lesson. It is established as a 1.5-hour block of learning and may require outside articles to assist in defining the topics. There is always a variety of contemporary articles and current events useful for facilitating this discussion.
- B. The fifth reading in the chapter, "First use of Nuclear Weapons", helps students understand the discussion of weighing/comparing the amount of pleasure for one group versus the pain of another group.
- C. A Few Good Men: The "you can't handle the truth!" scene in this movie offers a great discussion lead-in to review the responsibility of military officials to ensure their troops are prepared for war, but not taking so much authority upon themselves that they disobey other rules and regulations in the process. Show the scene where "COL Jessup" admits that he gave the order for the "Code Red," in order to ensure his enlisted members helped force the young Marine to get in line or get out of the unit.
- D. The Rock: Various five-minute clips in this movie can be used to show other examples of how a senior officer (Ed Harris), frustrated and angry with treatment of military special operations soldiers, takes authority in his own hands in a mistaken attempt to correct the issue. Suggested clips:
 - 1. The beginning five minutes of the movie.
 - 2. Clip in the middle in which Harris explains his reasoning for taking Alcatraz and threatening a chemical attack on San Francisco.
 - 3. The end of the movie, where Harris confronts his own subordinates in a disagreement about the reasons they are conducting the operation.
- E. U-571: This clip connects to the concept in this lesson of having to make tough calls. A Lieutenant

(during WWII) is turned down for command because he is so close with the crew that his superiors do not believe he will be able to issue orders that would put his men in danger. However, circumstances do place him in command of a submarine, and he must order one of his men to sacrifice his life to save the rest.

- F. Crimson Tide: The clip in which the officer has to make the difficult decision to order some of his men to sacrifice their lives in order to save the boat and the rest of the sailors.
- G. In preparation for follow-on class, the instructor should prepare a lead-in to Kantian Ethics as the last item discussed in class.

IV. Lesson Outline

- A. The origin and definition of Utilitarianism
 - 1. Originated in England. Its roots are in 18th Century, but it flowered in 19th in the writings of Jeremy Bentham and John Stuart Mill. Bentham wrote in an attempt to convince his government to treat criminals/prisoners more humanely. Utilitarianism has greatly influenced liberal legislation in England and the United States over the past 100 years.
 - 2. Utilitarianism: The ethical doctrine that actions derive their moral quality from their usefulness as means to some end, especially as means productive of happiness or unhappiness. In civics and politics, the greatest happiness of the greatest number should be the sole end and criterion of all public action.
 - 3. Discuss Jeremy Bentham's version of Utilitarianism. The student should comprehend that in Bentham's Utilitarianism, right actions are those that result in "good or pleasure," wrong actions those that result in pain or the absence of pleasure.
 - 4. Discuss John Stuart Mill's version of Utilitarianism:

- a. A more sophisticated version of Utilitarianism.
 - b. Concern with the quality of pleasure we produce and for the quantity of people for whom we produce it.
 - c. Characterized in terms of our obligation to maximize happiness for all: "The greatest good for the greatest number."
- B. Contemporary or "Act" Utilitarianism versus "Rule" Utilitarianism
 - 1. Contemporary or Act Utilitarianism:
 - a. Act Utilitarianism assesses the consequences of our actions.
 - b. An act is right if, and only if, it results in as much good as any available alternative.
 - 2. Rule Utilitarianism:
 - a. Assesses the consequences of following particular rules: Is there justification in harming a small number of people in order to save a larger number of people?
 - b. An act is right if, and only if, it is required by a rule that is itself a member of a set of rules, whose acceptance will lead to greater utility for society than any other available alternative.
 - c. Three levels of Rule Utilitarianism:
 - (1) Set of utility-maximizing rules. These are simple "rules of thumb" that should always be followed unless there is a conflict between them.
 - (2) Resolve the conflict between the rules of thumb: "Keep your promises" versus

"Help those in need". What do you do if you see someone having an emergency when you are on your way to a crucial meeting?

- (3) The Remainder Rule: Do what your best judgment deems to be the act that will maximize utility.

V. Discussion Questions

- A. The Chief Executive Officers (CEO's) of large American corporations often earn from eighteen to thirty times as much per year as the average employee in those corporations:
1. Can you think of a utilitarian defense for this "salary pyramid?"
 2. Can you think of any objections that a utilitarian might raise to this radically unequal distribution of economic benefits?
- B. Some midshipmen have argued in the past that "the ends cannot justify the means" in moral choices. Does the utilitarian say that there are times when the ends can justify the means?
- C. Do you think Mill's version of Utilitarianism is an improvement upon Bentham's? What is the difference?
- D. Can you think of situations in which an action that would maximize happiness would, nonetheless, be a wrong act? Give some examples and explain them.
- E. Summarize the story of "The Ones who Walk Away from Omelas."
1. What did the story mean to you?
 2. How does it relate to Utilitarianism?
 3. Do you think that something like this might happen?

F. According to the "Theory of Utilitarianism", we are responsible for the consequences of our actions. Are we, then, also responsible for the consequences of our inactions?

1. What if President Truman had not used the first nuclear weapons at Hiroshima and Nagasaki to shorten World War II and prevent the necessity of an assault upon the home islands of Japan?

2. The Sonar Tech aboard the *USS Greenville* did not continue to report information about a potential contact. Is he to blame for the unfortunate loss of life aboard the Japanese Fishing Vessel *Ehime Maru*?

VI. In-Class Exercise: Joint Targeting Board

This exercise forces students to decide what targets should be hit with what munitions, in order to achieve a necessary outcome. A variety of resources can be used to help make this exercise realistic, and comparable to recent or past military endeavors in which commanders have had to weigh their decisions by utilitarian measures. (Contact the Course Coordinator for assistance as necessary.)

A. Select a country with which the United States has been at war recently, will likely go to war with in the near future, or has had some conflict with in recent decades.

B. Challenge the students to choose the top 10 targets in the country that the United States should strike in order to make the country submit to a realistic democratic notion, such as: (1) stop supporting terrorism, (2) remove military dictatorship, (3) withdraw their forces from another country they invaded, etc.

C. Have the students decide if these targets should be precision engagements (pinpoint targets with expensive munitions) costing billions of dollars and possibly U.S. casualties; if they should be carpet-bombed from high altitudes with Bombers capable of avoiding low and medium altitude air defenses - therefore resulting in minimal friendly casualty but significant

collateral damage (damage and death to non-military targets); if the targets should be struck with Nuclear, Biological, Radiological, or Chemical warheads; if ground troops should be put ashore to attack the targets from the ground to ensure destruction/minimize collateral damage but putting many lives at risk; or a new electromagnetic bomb should be used to take out electrical and communications infrastructure -- destroying the infrastructure but also the livelihood of innocent civilians and businesses.

- D. Use this discussion to help the students understand the many thought processes decision makers [at CINC and at smaller MEU(SOC) or Carrier Task Group Level] have to go through when developing targeting assignments and determining how to reach strategic or operational goals. Ensure the discussion heavily reflects utilitarian means of decision-making.
- E. Incorporate real-world scenarios and outcomes whenever possible so students can see the decisions that commanders have made in the past -- and how their decisions (whether utilitarian based or not) affected outcomes.

VII. Supplemental Learning Opportunities

- A. Review current events for new cases.
- B. Review Michael Walzer's principle of double effect found in "Double Effects," Just and Unjust Wars, 2nd ed., pages 151-159. This is a good correlation to the utilitarian approach.
- C. In the Gulf War, Iraq placed lots of military equipment on or near civilian targets in order to avoid having their military might destroyed by U.S. fighter planes. How would the utilitarian approach this placement of military equipment with regard to collateral damage?

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 5

HOURS: 1.5

TITLE: KANTIAN ETHICS: DUTY

I. Learning Objectives

A. Reading Objectives:

1. The student will be introduced to Kant's moral theory and categorical imperatives.
2. The student will be introduced to the differences between Kant's moral theory and Utilitarianism. The student will be introduced to how Kant's moral theory, specifically his formula of universal law, is applied to determine a course of action in accordance with Kant's definition of "duty."
3. The student will participate in reasoned discussions of gender and sexual issues in the military, recognizing the merits of opposing sides in the debate. Students will use the material taught thus far in the course to determine their own position on these issues.
4. The student will apply the notions of justice, universality, and duty to discussions of equal treatment and affirmative action in hazardous duty professions, such as the military.

B. Discussion Objective:

The student will understand the differences between Kant's moral theories, utilitarianism, and culture/moral relativism as it applies to various military situations.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 4
2. "Objectivity" (Section 11), Naval Leadership: Voices of Experience, pp. 94-100
3. "Moral Responsibility and the Naval Officer" (Section 20), Naval Leadership: Voices of Experience, pp. 153-159
4. "Responsibility and the Naval Officer" (Section 21), Naval Leadership: Voices of Experience, pp. 159-166
5. "Kant: The Universal Law Formation of the Categorical Imperative" Essay at:
<http://www.freeessay.com/killer/history/kant.shtml>

B. Student Texts:

1. Ethics for Military Leaders, Chapter 4
2. "Objectivity" (Section 11), Naval Leadership: Voices of Experience, pp. 94-100
3. "Moral Responsibility and the Naval Officer" (Section 20), Naval Leadership: Voices of Experience, pp. 153-159
4. "Responsibility and the Naval Officer" (Section 21), Naval Leadership: Voices of Experience, pp. 159-166

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. VCR/Monitor or projection system
- D. Videos (optional segments):
 1. Saving Private Ryan
 2. A Few Good Men

IV. Instructor Notes

- A. This lesson is intended as a combination lecture and seminar. It is intended to provide study material and instructional aids sufficient for a 1.5-hour block of contact (class) time. Instructors should determine the actual prescribed reading for students based upon their own academic environment and course preparation.
- B. Professors can enrich this course of instruction with appropriate stories from their own experience, current events, and historical topics.
- C. Saving Private Ryan (optional video segment) - Show the clip in which an officer (played by Tom Hanks) tells one of his soldiers that the way he copes with ordering men to their deaths is by telling himself that their deaths will save the lives of ten times as many men (utilitarian reasoning). When the unit is ordered to save the life of one man (Private Ryan), a new question is raised. Is this the right thing to do, regardless of the consequences for the officer (Tom Hanks) and the men under his command (Kantian Conclusion)?
- D. A Few Good Men (optional video segment) - Show the clip in which two young Marines finally understand that the ends do not always justify the means. They also realize they had a duty to protect those who cannot protect themselves, even when they must protect a member of their own elite service. They realize they made a poor choice in sacrificing their brother Marine to try to make their unit stronger. In doing so, they undermined the sole reason for the unit's existence.
- E. In preparation for the follow-on class, the instructor should prepare a lead-in to Truth-Telling and Core Values as the last item discussed in class.

V. Lesson Outline

- A. Kantian Ethics: Duty

1. Introduce Immanuel Kant, the 18th century German Philosopher.
 2. Discuss "reason" as a minor role and explain Kant's concept that moral rules are universal.
 3. Explain Kant's "categorical imperatives," concentrating specifically his first form of Universal Law.
 4. Explain Kant's motivation.
 - a. Kant suggests a "supreme principle of morality" with a firm foundation in reason.
 - b. Kant's principle is an intuitive view about morality that implies rules that:
 - (1) are universally applicable to all rational beings.
 - (2) exert a special force on us.
 - (3) are concerned more with the morality acts than of outcomes.
- B. Describe Kantian Ethics in more simple terms.
1. Kant believed that moral acts should be done because the act in and of itself is moral, not for whatever good it may cause. Thus, performing a good act, such as saving a child's life, should not be done for any recognition or reward. For Kant, the end does not justify the means, but the means or acts are solely justified by their own moral characteristics. For Kant, rational beings have a "duty" to act based on moral maxims. From this viewpoint, he defined "moral rules" that should govern our actions.
 2. These "moral rules" stand alone and are not situational (dependent on circumstances), but have the following characteristics:
 - a. They are universal.

- b. They apply to all rational persons everywhere, always.
- c. They are understandable to everyone. All rational persons must be able to understand and be capable of following or breaking the rule.
- d. They are unchanging or unchangeable.
- e. They are not dependent on the will or decision of any person or group of persons.
- f. They are external to a person's own values. "Do not murder" is a moral rule, and it exists even if an individual or group of individuals believes that murder is permissible.
- g. Moral rules have exceptions.
 - (1) A person may in some circumstances intentionally break a moral rule and not be immoral. (See the POW example below.)
 - (2) Universality is not the same as absoluteness. Most societies hold "do not lie" as a moral rule. But, for example, a Prisoner of War would not be considered immoral if he or she lied to the enemy in order to prevent causing pain to a large number of people.
- h. Moral rules may conflict with one's desires and interests. (To Kant, selfishness does not promote morality.)
- i. Moral rules do not always promote good, but should always avoid causing evil.
- j. Another characteristic of moral rules represents perhaps the most obvious point of departure between moral rules and moral ideals. Moral ideals encourage the prevention of evil rather than simply not

causing evil. Moral rules are such that all rational persons must advocate obedience to them.

- C. Identify the five main problems confronting utilitarianism.
1. Pleasure and happiness are impossible to measure.
 2. We cannot know all the consequences of our actions, so we can only make probabilistic judgments about the rightness of actions.
 3. Utilitarianism has counterintuitive implications (e.g., sacrificing one to save many).
 4. Utilitarianism is concerned with the end, not the means. With this mindset, only the bottom line matters.
 5. Utilitarianism does not take the moral significance of individual persons seriously enough; it treats us as mere conduits for utility.
- D. Compare Kantian ethics, Utilitarianism, and cultural relativism.
1. Kantian ethics and Utilitarianism agree in many cases that an act is moral, but for vastly different reasons. For example, saving a drowning child because everyone will be happier for it, vice it being the right thing to do. In both cases, the child is saved, but for different reasons.
 2. A case where the Kantian and the Utilitarian would disagree about the rightness of an action might be the following: Sheriff Sparks knows that if he does not hang someone for the murder of the minister, his town will riot and much harm will occur. So, he has his deputies pick up a known drug dealer, a kangaroo court convicts him, the drug dealer is publicly hanged, and great harm is averted. But an innocent man (we assume

for this crime) has been sacrificed for the greater good.

3. Moral/cultural relativism is situational, for example, cheating in school because "everyone does it." What would Kant say about this?
 4. Kantian ethics is often said to be, "grounded in a principle of respect for persons." Why, according to Kant, should we respect other persons?
 5. Explain actions that would be forbidden by Kant's moral principles. Examples to discuss include:
 - a. Committing suicide,
 - b. Preventing homosexuals from serving in the military,
 - c. Favoring one social group for admission to college,
 - d. Performing capital punishment,
 - e. Saving one's own child instead of saving two other children, and/or
 - f. Failing to give food to a starving person.
- E. Categorical Imperatives. Kant believed that our actions cannot be conditional or situational-based. Morality requires an unconditional statement of ones "duty." From this, he has three main formulations of his "Categorical Imperatives." The first form is the only one required for this lesson, but the other two will be shown for information.
1. Formula of Universal Law - In Kant's words, "act only according to the maxim by which you can, at the same time, will that it should become a universal law." For an act to be moral or good, we must remove any thought of its outcome from our motivation. The morality of an act must depend solely on the act itself. If we can do

this, then we are left with universality.
Compare this to the concept of duty.

- a. Kant's principle of universality is actually concerned with outcomes. For example, if we will lying as universal (we say everybody should do it), we destroy the value of the principle of telling the truth. That is, you would never be able to believe anyone. Willing that everyone should tell the truth fixes that problem and makes lying a universal wrong.
 - b. Once a *universal* outcome has been established, that principle is moral regardless of the outcome in any *particular* instance. It becomes moral of its own accord.
 - c. Telling the truth is moral because it would be destructive if everybody lied. Since telling the truth is moral, it is moral in every particular instance, regardless of the consequences of telling the truth *in that instance*. Therefore, Kant is concerned with universal outcomes and not particular outcomes.
2. Formula of Nature. In Kant's words, "act as though the maxim of your action were by your will to become a universal law of nature." Similar to the above, it simply states that as the laws of nature aren't contradictory, a moral act should not be either. If an act cannot be seen as a "law of nature," then it is not moral.
 3. Formula of Humanity. In Kant's words, "act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only." This formula ties Kant's moral theory together. Since people possess rational will, people are set off in the natural order of things and, according to Kant, are the only things with unconditional worth. This rational will stands alone, and should not be seen as something that changes with outside

forces (situational/cultural). Rational will, or the acts that derive from it, are not a means to an end, but ends in themselves. Again, to Kant, the moral act is the important part, not the end they achieve. Rationality puts all rational beings on the same footing. This rationality, in and of itself, serves as a supreme practical base from which it is possible to "derive all laws of the will."

VI. Discussion Questions

- A. What would Kant think of Utilitarianism as a moral theory? What role does Kant think consequences ought to play in moral reasoning?
- B. Suppose we evaluate a person as morally good for performing a good act (such as saving a drowning child) but did not realize that the person did what they did out of self-interest (say, to get publicity or money). Is this likely to change our evaluation of the act or the person? Can you think of contrasting cases, one where knowledge would make a difference and one where it would not? If the motivation of the person rescuing the child was a consideration, what effect would such an act have on your opinion? Was it a moral act according to Mills? According to Kant?
- C. Which of the following actions, if any, would be contrary to the tenets of Kant's moral theory: suicide, preventing homosexuals from serving in the military, favoring one social group for admission to college, capital punishment, becoming a farmer, saving one's own child instead of saving two other children, failing to give food to a starving person?
- D. What would Kant say about the child in the cellar from the story, "The Ones Who Walk Away from Omelas" by Ursula Le Guin?
- E. What if the child was there voluntarily and considered his/her suffering as his/her duty to the community?
- F. How would Kant view the Navy's core values of honor, courage, and commitment?

G. From the Sentinel Case:

1. Discuss the case from the view of moral/cultural relativism. What were the "accepted" norms of the Sentinel's wardroom?
2. Are there similar "norms" on campus?
3. In what ways were LTJG Ramsey's and LT Parker's actions Utilitarian, or due to cultural relativism?
4. Even though LTJG Ramsey ended her career, how would Kant view her eventual decisions/actions? Did her actions meet the requirements of Universal Law? Did she do her "duty," vice acting on the need for "happiness?"
5. How do you think LTJG Ramsey's experiences will affect future "whistle blowers?"
6. What would Kant say about the CO of the Sentinel, LCDR Chace?

H. From the "Death of a Marine" Case:

1. How did the chain of command fail in its "duty" while pursuing a utilitarian solution?
2. How would one look at the Officer Oath with regards to Kant and what happened in this case?

VII. In-Class Exercise

(NOTE: Although the following sample case is provided, the instructor is strongly encouraged to use a situation from his/her own experience to provide contemporary relevance to the discussion.)

You are married and TAD to another location a long distance from home. Your junior, married co-worker is of the opposite sex and accompanies you on this assignment. Your first dinner away, things go too far. You both regret the situation in the morning, knowing it could end your careers. A week later, you are back home and you are called up to see the JAG (lawyer). He reads you your

rights and tells you this is just an informal investigation. The possible charge is adultery: Your co-worker's husband believes you took advantage of his wife while TAD, but he has no proof. What do you tell the lawyer?

VIII. Supplemental Case Study

You are tasked with a Marine reconnaissance mission in hostile territory and allowed to select one other person to accompany you. Four highly competent candidates are located: One is an inveterate self promoter, eager for the mission to advance his own career; another is a well-meaning, helpful type, always looking for ways to assist; third is a cynic, motivated primarily by fear of punishment and bitterness toward "the system;" while the fourth is someone who simply does what duty requires, no matter how he feels, what his private wishes are, or whether anyone else will see and reward or punish him. Which individual do you chose to take with you to ensure mission success and the safety of your own life? Why?

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 6A

HOURS .75

TITLE: TRUTH TELLING

I. Learning Objectives

A. Reading Objectives:

1. The student will know the "absolutist" position:
"It is always wrong to lie."
2. The student will comprehend the principles most commonly used to defend or excuse lies.
3. The student will comprehend and relate the process of "public justification" of lying, to the first form of Kant's Categorical Imperatives.
4. The student will be able to explain why Kant would have difficulty with "justifiable lying."

B. Discussion Objectives:

1. The student will comprehend the possible exceptions to the absolutist prohibition and the extremes in which such exceptions might come into play.
2. The student will demonstrate the ability to identify the principle being used to defend or excuse a lie and determine whether the excuse constitutes a legitimate exception to the general prohibition.
3. The student will comprehend the policy context of military situations in which lies are likely to occur and relate the formal and theoretical discussions of lying to concrete cases, such as falsification of "hostile fire" reports, violation of Rules of Engagement, and bureaucratic "cover up" of the case study incidents.

4. The student will apply the insights contained in Bok's discussion to case studies provided and relate them to daily decision-making.
5. The student will comprehend the paradoxes of a military chain of command in a democracy.
6. The student will be able to differentiate just and unjust laws using the criteria set forth by Martin Luther King, Jr.
7. The student will be able to discuss the philosophy of Clausewitz, regarding the military serving the national interest.

II. References and Texts

- A. Instructor Reference: Ethics for Military Leaders, Chapter 5, Overview and Readings 1, 2 and 3
- B. Optional Instructor References:
 1. "Are You Telling the Truth?" by LtCol Mark Cancian, Proceedings, Dec 94, pp.37-41
 2. "Is It Ever Right to Lie?" by Robert C. Solomon, The Chronicle of Higher Education, Feb 98. (Article can be found at: <http://web.utk.edu/~gwynne/lying.html>.)
 3. "America's Escalating Honesty Crisis," by Patricia Edmonds, USA Weekend, 16-18 Oct 98, pp. 14-15. (Article can be found at: http://www.usaweekend.com/98_issues/981018/981018_nationalforum.html)
 4. Survey data exists online to show how people feel about ethics in America and what they think about people involved in lying, cheating, scandals, etc. This data can be obtained at: <http://www.gallup.com>. You can do a search regarding your particular question such as: "How do people feel about cheating in college?" or "How do people feel about a (particular politician) and his/her recent actions?"

- C. Student Text: Ethics for Military Leaders, Chapter 5, Overview and Readings 1, 2 and 3

III. Instructional Aids

- A. Chalkboard
- B. VCR/Monitor or projection system
- C. PowerPoint slides with projection system
- D. Videos (optional):
 - 1. The Rules of Engagement
 - 2. A Few Good Men
 - 3. Liar, Liar

IV. Instructor Notes

- A. This is a group discussion-oriented lesson, which is designed to be a 45-minute block of learning. The instructor can achieve this by limiting the scope and depth of the presentation. However, enough material is provided for those who want to discuss the subject to a greater degree. This lesson is taught as a precursor to the next lesson, "Core Values."
- B. A variety of contemporary articles and current events can be used to facilitate this discussion. Students should lead this discussion in order to develop communications skills and to emphasize their leadership role in truth telling. Encourage every student to participate in discussion.
- C. Religion will often be a topic of great concern in the discussion of truth telling. Religion reinforces morals that are in concert with truth telling.
- D. The videos Rules of Engagement and/or A Few Good Men can be extremely powerful attention-grabbers for the introduction to this topic. Rules of Engagement may be relevant to the discussion of many of the topics in this section.

- E. The optional video segment Liar, Liar has two parts that can be used. In one segment, Jim Carrey finds that he is unable to lie or be deceptive in any way, due to a curse. The comical results that follow in his workplace show the depth to which he had gotten away with lying in all aspects of his life. In the second, Jim Carrey tries to convince his son to reverse his wish by adamantly proclaiming that sometimes adults have to lie. These items can be great lead-ins for discussion or good items to get the class engaged.
- F. The distinction between the truth, an interpreted truth, and a lie is often very thin and rests in the perception and perspective of others.

V. Lesson Outline

- A. The basis of truth telling.
 - 1. Discuss truth telling as a concept, including promise keeping, trustworthiness, report submission, and trust in confidence, as an officer and as a gentleman or lady.
 - 2. Discuss genuine excuses for breaking a rule.
- B. Discuss after-the-fact or midstream rationalizations for breaking a rule or telling lies.
- C. Discuss "Rejecting all lies" and the "Theological approach."
- D. St. Augustine proclaimed that God forbids all lies and that liars endanger their immortal souls, but also that God would forgive lies.
 - 1. St. Augustine had a difficult time dealing with lies told to reduce pain and suffering or to protect someone's life.
 - 2. There are great differences among lies and some are more abhorrent than others.

- E. St. Augustine proclaimed an eight-fold distinction between lies -- the range of which fell between the following end points:
1. The worse and least forgivable lies were those uttered in the teaching of religion (sac religious).
 2. The more easily forgivable lies were those which harmed no one, or saved someone from human or physical detriment.
- F. Thomas Aquinas' approach built upon St. Augustine's hierarchy and set a pattern followed by Catholic theologians even today.
1. Distinguished three types of lies:
 - a. Officious or helpful lies.
 - b. Jocose or those lies told in jest.
 - c. Mischievous or malicious lies intended to do someone harm. Aquinas believed only the mischievous lies constituted moral sin.
 2. Two terms of our oath of public office came from the Aquinas time frame.
 - a. The idea of having one thing in one's heart, while uttering another, led to use of the term "mental reservations."
 - (1) What is wrong with having a mental reservation?
 - (2) Is it fair to have a mental reservation for an office upon which you are about to enter?
 - b. Many public offices and religious/public sessions were conducted after swearing "In the Name of God." This was done to instill the fear that God might strike down those who used his name to support falsehoods.

- G. The lawyer Grotius later identified in his thought process that it is not telling a falsehood if:
1. The listener has evil intentions, or
 2. The intentions of the listener are unknown.
- H. This theological way of viewing truth telling differs tremendously from Kantian thought (the absolutist position).
1. All lies are lies.
 2. Truthfulness in statements which cannot be avoided is the "formal duty of an individual to everyone, however great may be the disadvantage accruing to himself or to another." Regardless of the harm that might come if you are honest, you must still tell the absolute truth.
 3. Can we agree with Kant?
 4. Some religions take the Kantian view with regard to lies and believe that all lies are bad, regardless of the mitigating circumstances.
 5. Sissela Bok's theory of acceptable lying with justification and publicity:
 - a. One lies while identifying justification for the lie with regard to some religious belief, some moral standard, or some other reasonable good.
 - b. This moral justification must be capable of being made public in one of three levels of public justification:
 - (1) Self - in ones conscious mind the practice is acceptable.
 - (2) Directed to reasonable persons.

- (a) This will normally include peers, friends, colleagues, or educational equals.
- (b) Those in a position of my personal trust, knowledge, or experience.
- (3) Persons of all allegiances - no more hand picking who the public is that must accept my justification.

VI. Discussion Questions

- A. When someone says, "All politicians are liars!"
 - 1. How can you verify or falsify this claim?
 - 2. Suppose you set out to find a truthful person. Would you begin this search by looking in the mirror? Why, or why not?
- B. Are there degrees or gradations of lies (shades of white through gray to black)? Or "is a lie is a lie is a lie?"
 - 1. Before answering this question, you must consider how the ethical positions we have examined so far (Constitutional ethics, utilitarianism, Kantian duty ethics) contribute to deciding whether or not it is okay to lie to any degree, or on any given occasion?
 - 2. Are there situations or times when the literal truth is not expected? Is it okay to tell small fibs or lies (various degrees of lies)?
 - 3. Does operational security or military deception constitute lying?
 - 4. How much "spin" can you put on a story before it becomes a lie?
- C. How does Bok define a lie? Would her definition change the interpretation or application of the Midshipman Honor Code?

- D. Since the midshipman battalion cannot completely simulate the fleet or fleet marine forces and many aspects of it are artificial, will one who lies in these situations also lie in an operational situation in which lives are on the line?
 - 1. Should midshipmen be held to the same standards as personnel in the fleet?
 - 2. Is it true that "the way we train is the way we fight?"
- E. How do you decide whether or not to turn in someone who lies?
 - 1. Is it fair to have an institutional approach to honor in which the same case of lying is considered by one observer to merit turning in the offender while a different observer only counsels the offender or looks the other way?
 - 2. What are some instances when you may consider looking the other way?

VII. In-Class Exercise

- A. The reading "Major Knight and Cambodia" by Stephen Wrage (found in Chapter 5 of Ethics for Military Leaders) provides a great framework for discussion and practical application of truth-telling. Put yourself in Major Knight's position now. It's 2130 on March 17, 1969. The bombers will shortly be overhead. What would you do?
- B. A Few Good Men -- Put yourself in Private Dawson's or Private Downing's shoes. You have been given the orders to conduct a code red. What do you do?

VIII. Supplemental Learning Opportunities

- A. Review current events for new cases.
- B. You and a group of midshipmen have been in town for an evening's entertainment. All but one of you makes it back for taps. You know the person is still in town,

and you are asked about his or her whereabouts. What do you say?

- C. Does the current policy of "Don't Ask, Don't Tell" encourage lying and deception? How can this policy be reconciled with the necessity for truthfulness in the military?
- D. Are we responsible for the ethical health of our shipmates and fellow marines? Are you responsible for the ethical health of your fellow midshipmen or students? Do you agree that as a naval officer, you have the responsibility to "police up" the ethical health of the wardroom?
 - 1. When does counseling or peer pressure become meddlesome?
 - 2. How far should you go in providing moral guidance to your shipmates?
 - 3. Does providing such guidance ever conflict with individual autonomy?
- E. Remind the students of the "Anne Frank" case. (Be certain everyone remembers who Anne Frank was!) Put yourself in the place of the Dutch citizen, hiding Anne Frank in your home. An SS officer knocks on the door and informs you that they are aware that some people are hiding Jews. He explains: "If these saboteurs of the final solution admit their crime and give up their Jews, they themselves will be spared. If, after this opportunity, someone is caught harboring Jews, they themselves will be shot, their families sent with the Jews to concentration camps, and their homes burned to the ground." Do you tell the truth, or lie? Why?
- F. The controversy surrounding the V-22 Osprey program has been a tremendous area of faulty integrity for the Corps recently.
 - 1. Senior members of the USMC are stretching the truth, and in some cases flat out lying and covering up information about the program. Why are they doing this? In general, many of these

violations of integrity result from the true understanding these marines have regarding the capability the Osprey possesses, compounded by their awareness that the Corps and the DOD are in desperate need of such a long-range, vertical take-off, medium-to-heavy-lift capability.

2. Desire to have the Osprey program continue has overwhelmed the integrity of a few top personnel in the USMC and the Department of Defense, almost to degrading levels. Why would such honorable men put their careers and good names at such risk?
3. Quite a few articles online and in daily military magazines and newspapers can assist with this topic. It is a very contemporary issue that will affect some students upon commissioning. However, it will require some explanation about why the Marines and other services truly want to see the Osprey capabilities in an operational platform, so they will understand why some people would go to such an extent to try to save a seemingly failing expensive program that has cost the Corps quite a few lives and billions of dollars.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 6B

HOURS: .75

TITLE: NAVY CORE VALUES AND PERSONAL ETHICS

I. Learning Objectives

A. Reading Objectives:

1. The student will comprehend the vital nature of core values to the role and responsibilities of a leader.
2. The student will know the importance of having a solid baseline of Navy Core Values in his/her ever-changing environment.
3. The student will comprehend the relationship between individual values and the corporate Navy Core Values.
4. The student will demonstrate a sufficient knowledge of source documents that support Navy Core Values.

B. Discussion Objectives:

1. Comprehend the need for "Core Values" in a professional military organization. Specifically, comprehend how acts such as hazing, sexual harassment, racism, and other unethical behaviors undermine the ability of a military organization to be effective.
2. Comprehend that conflicts will occur between loyalty (to an individual, organization, service or country) and doing what is ethically right. Apply reasoning using case studies, and the theories thus taught to resolve what is the right action for different situations.
3. Comprehend that the Core Values of Honor, Courage, and Commitment need to be more than just

"words" -- they need to be a foundation of service in order for military professionals to continue to effectively serve our country.

II. References and Texts

A. Instructor References:

Many of these references are added to streamline the instructor's search for necessary Navy, USMC, and DOD material that outlines the necessity to teach and encourage strong Core Values within our profession. These references can be easily found on DOD, Navy, or USMC web sites; messages maintained within the local unit; or by consulting your administrative support section. These references should be used, if possible, to reinforce appropriate regulations and show the students how to use them.

1. The Naval Officer's Guide, Chapter 2
2. USN Core Values Web Page --
<http://www.chinfo.navy.mil/navpalib/traditions/html/corvalu.html>
3. OPNAVINST 5354.1 (Series)
4. SECNAVINST 5300.26 (Series)
5. UCMJ
6. U.S. Navy Regulations in their entirety can assist the instructor with certain rules or regulations.

B. Student Texts and References:

1. USN Core Values Web Page --
<http://www.chinfo.navy.mil/navpalib/traditions/html/corvalu.html>
2. The Naval Officer's Guide, Chapter 2

- C. Additional Resource: Corps Values, by Zell Miller, the Governor of Georgia (an optional book that may

come in very handy when teaching the Core Values)

III. Instructor Notes

- A. This lesson is to be taught in series with the lesson on "Truth." Instructors may expand from the 45-minute block to cover more depth and scope, as they deem appropriate. Also, this lesson can be taught concurrently with "Truth" vice as a separate entity. There are a variety of current articles and events that may be used to facilitate, including readings from prior lessons.
- B. The subject of Core Values should be a review for the students, and as such can be covered quickly. Of more importance is the use of core values in discussions of events, case studies, etc. Accordingly, students should be encouraged to lead discussions about these issues in class and be graded on their ability to communicate the issue to their peers and their understanding of the Service's Core Values.

IV. Instructional Aids

- A. NAVMC 11341 is the Navy and Marine Core Values Card. It can be ordered through the supply system (S/N 0109-LF-067-1300). It is a good tool and by Marine Corps Order, all Marines should be given one to take with them at commissioning.
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

V. Suggested Methods and Procedures

- A. Lecture
- B. Discussion
- C. Case Study

VI. Lesson Outline

- A. Review of USN Core Values (in regards to conduct, behavior and decisions)

1. History
 - a. Instituted 9 Oct 92 in response to Tailhook and the USNA cheating scandal
 - b. Sources/supporting documents
 - (1) U.S. Constitution
 - (2) Oath of Office
 - (3) Laws/UCMJ
 - (4) Navy/USMC Regulations
 - (5) Code of Conduct
 - (6) Honor Code
2. Honor (Definition: A keen sense of ethical conduct.)
 - a. Highest Ethical Conduct
 - b. Honest/Truthful
 - c. Listen to juniors and expect same of Seniors
 - d. Encourage new ideas, and be ready to deliver bad news (don't cover up problems)
 - e. Highest standard of behavior in and out of uniform, "24/7." Expect the same from others.
 - f. Personal responsibility/accountability
3. Courage (Definition: Mental, moral, or physical strength to resist opposition, danger, or hardship; the moral strength to act with integrity and honor even in the face of opposition.)
 - a. Moral and physical
 - b. Work in hazardous conditions

- c. Put nation and service before self
 - d. Adhere to higher standard of conduct and decency
 - e. Loyal to nation
 - f. Do what is right, even though unpopular
- 4. Commitment (Definition: state of being obligated or emotionally compelled.)
 - a. Respect up and down the chain of command
 - b. Care for your people
 - c. Respect for others (culture, race, religion, gender)
 - d. Constant improvement (self, subordinates)
 - e. Work to your highest level of ability
 - f. Team work
- B. Individual values are ideals or principles that are held dear. These values are learned from family, friends, community, church, school, etc. Values:
 - 1. Set behavior
 - 2. Define yourself as an individual
 - 3. Set your priorities
 - 4. Are constant
 - 5. Are concerned with virtue
- C. Discuss the difference between personal values and ethics. Ethics:
 - 1. Translate values into action
 - 2. Change depending on the situation

3. Are concerned with justice
 4. Set boundaries for your behavior
- D. Discuss why we need a strong code of personal ethics and relate current incidents where personal values and ethical behavior were lacking. Some examples:
1. Osprey maintenance record cover-up
 2. President Clinton's impeachment
 3. Cheating in school

VIII. Discussion Questions

- A. How would a Utilitarian view the Navy's Core Values?
- B. How would Kant see them? Do they meet his criteria for being "universal law?"
- C. As in the "Truth" lesson, when you have civilian leaders/politicians who lie and/or abuse their power, how do you resolve this conflict with the Core Values? What if it is your CO inappropriately using government equipment (e.g., taking a squadron jet solely for personal business)?
- D. While the Core Values discuss loyalty, how would you resolve a conflict with loyalty to your peers and doing what is right? For example, you are assisting a close friend who is the classified material custodian. He/she confides in you that they are not sure that they destroyed some cryptology codes (i.e., they may have lost some), but would you help them out by signing as a witness that the destruction happened?
- E. How do you respond to the statement that a gender-mixed Naval Service undermines combat readiness and that to be "warriors" we must allow our men and women in uniform to "cut loose," such as what used to happen at "Tailhook?"

- F. Does a leader's lack of respect for you and/or lack of truthfulness (such as telling you that a mediocre Fitrep only represents your junior status and not your performance) provide justification for you to not adequately serve your command?
- G. In the "Sentinel Case" from EML, Chapter V, what happened to LTJG Ramsey for doing the "right thing?" Historically, "whistle blowers" do not fare well after "doing the right thing." How can we as military professionals fix this problem?
- H. How do you balance courage, such as that needed for a hazardous job (such as flying), and your commitment to take care of your family?

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 7

HOURS 1.5

TITLE: LIBERTY AS THE FOUNDATION FOR MORAL RIGHTS

I. Learning Objectives

A. Reading Objectives:

1. The student will know the rights specified to individuals under the Constitution.
2. The student will understand Mill's strategies ("Consequentialist" and "Human Flourishing") for defending liberty of expression.
3. The student will understand the value and importance of liberty in conjunction with other values (such as peace, security, morality, civility, etc.) important in a free, democratic society.
4. The student will understand the tension between freedom and restraint, and the need for moderation and compromise as features of democracy.
5. The student will understand the difference between self-regarding (private) and other regarding (public) actions. The student will apply J. S. Mill's so-called "Harm Principle" to determine under what circumstances the public or the government is entitled to infringe upon the privacy and liberties of individual citizens.

B. Discussion Objectives:

1. The student will apply theoretical principles to concrete situations involving public concern and debate over the balance between freedom and restraint.

2. The student will comprehend the principles in this unit and apply them to moral, ethical and social issues through development of well-reasoned argument and the ability to state defensible positions.
3. The student will apply the principles of freedom and restraint, rights and liberties, and public and private actions to the context of military issues.
4. The student will comprehend the moral, ethical and legal responsibility of the military commander to uphold and defend the rights of subordinates and civilians.

II. References and Texts

- A. Instructor Reference: Ethics for Military Leaders, Chapter 6
- B. Student Text: Ethics for Military Leaders, Chapter 6, Overview and Readings 1, 3, 4 and 5

III. Instructor Notes

- A. The initial part of this lesson is a seminar and group discussion-oriented lesson. The concepts presented in the initial part will then be explored through the case study method on any or all of the following cases: Flag Burning, Lesbian Relationships, Major Shane Sellers (Criticism of the President), Tailhook, and/or "Wide Right." (An appropriate case from current news or other source may be substituted for the suggested case studies, if the instructor so desires.)
- B. Individual rights and liberty are related in interesting ways.
 1. Our Constitutional rights could be seen as delimiting individual spheres of non-interference or liberty. For example, the First Amendment prohibits certain legislation that would infringe on the right to free speech.

2. Another way of looking at it is to look at where our rights should "end." One perspective asserts that an individual's liberty, say to pursue his or her conception of a good life, is limited by other people's rights.
 3. Some philosophers have thought that rights come into existence when, collectively, we cede some of our liberty to the authority of the state.
- C. This lesson focuses on liberty and the ways in which it might be legitimately limited. Mill's so-called Harm Principle is one example.
 - D. This lesson also focuses on voluntarily limiting one's own liberty and freedoms, especially as required for good citizenship and in military service.
 - E. The fact that legitimately taking or voluntarily giving up liberty gives rise to obligations and responsibilities on both sides must be highlighted.
 - F. The second half of this lesson involves a review of case studies. It is imperative that both the students and the instructor be familiar with the cases and the case study method to ensure a quality learning experience.
 - G. Video Segments (optional). (NOTE: These video segments are available from the Internet, your library, and/or video stores. Contact the Course Coordinator for additional video resource information.)

"The People vs. Larry Flynt" has a scene in which a trial lawyer defends Mr. Flynt with an appeal to the jury regarding the sacredness of freedom. Flynt's lawyer (actor Ed Norton) tells the jury that he himself finds "Hustler" very offensive. But, he argues, it is not the job of juries in a free society to decide what consenting adults can or cannot purchase, and part of the price of freedom is that we must tolerate different tastes, standards, and opinions, so long as others do not force them on us. This video clip can complement a discussion of Mill's Harm Principle.

IV. Lesson Outline

- A. Constitutional Rights/The Bill of Rights: Review the founders' views within their historical context.
 - 1. Why was the Constitution considered an "unfinished document" until the Bill of Rights was adopted?
 - 2. Can you imagine the nature of our country without the influence the Bill of Rights has had in the course of our history?
- B. Discuss when, if ever, it is permissible for the state to restrict an individual's liberty?
 - 1. How does Mill's so-called Harm Principle affect the state's need to restrict individual rights?
 - a. Harm Principle: The only purpose for which power can be rightly exercised over any member of a civilized community against his will is to prevent harm to others. "His own good, either physical or moral, is not sufficient warrant."
 - b. Three things to note about the Harm Principle as applied to freedom of expression:
 - (1) It is a consequentialist principle -- effectively saying that if the consequences of a certain type of speech are bad enough, then the state may restrict that type of speech.
 - (2) When we think about whether some speech can be restricted, we must weigh the value to be protected (truth, democracy, human flourishing) against alleged harm.
 - (3) So, since the value to be protected is so great, only the most serious harm will be enough to tip the scales in favor of restriction, and that harm must be

demonstrable (that is, be a proven effect of the speech in question).

2. Discuss the consequentialist principle. Is it fair for the state to restrict certain types of speech, if the consequences of that speech are bad enough?
 - a. When we think about restricting some speech, we must weigh the value to be protected against the alleged harm.
 - b. Since the value to be protected is so great, only the most serious harm will be enough to tip the scales in favor of restriction, and that harm must be demonstrable (that is, be a proven effect of the speech in question).

C. Mill employs two strategies for defending liberty of expression: "Consequentialist" and "Human Flourishing."

1. Consequentialist: "We value truth; we'd rather have true beliefs than false ones. We know that we are fallible and that we are inclined not to subject many of our beliefs and opinions to critical scrutiny. The best way of discovering the truth and of increasing our confidence in our current beliefs and opinions is to consider as many different points of view as possible and to see how well our own views do in the 'marketplace of ideas.' Hence, we should have maximum liberty of expression."
2. Human flourishing: In Utilitarianism, Mill says that human beings have unique capacities and that human happiness or "flourishing" depends upon us exercising those capacities. These capacities are of two types:
 - a. Cognitive (e.g., thought, deliberation, weighting up pros and cons of courses of action); and
 - b. Affective (e.g., aesthetic appreciation, friendship, long-lasting relationships).

3. Maximum liberty of expression is a necessary condition for exercising these capacities.
- D. "Legislators make the citizens good by forming habits in them and this is the wish of every legislator...[for] it is difficult to get from childhood onward a right training for virtue if one has not been brought up under right laws; for to live temperately and hardly is not pleasant to most people, especially when they are young. For this reason their nurture and occupations should be fixed by law, for they will not be painful when they have become customary..."
- E. Edmund Burke, in his look at the French Revolution, has certain reservations regarding the "virtue" of liberty. He asserts that unrestrained liberty is not necessarily a good thing. Circumstances can make liberty either a virtue or a vice. He asserts:
1. "liberty, when men act in bodies, is power."
 2. "...Our liberties [are] an *entailed inheritance* derived to us from our forefathers and to be transmitted to our posterity."
 3. "Always acting as if in the presence of canonized forefathers, the spirit of freedom, leading in itself to misrule and excess, is tempered with an awful gravity."
 4. "Of this I am certain, that in a democracy the majority of the citizens is capable of exercising the most cruel oppressions upon the minority whenever strong divisions prevail..."
 5. "I shall always, however, consider that liberty as very equivocal in her appearance which has not wisdom and justice for her companions and does not lead prosperity and plenty in her train."
 6. "To make a government requires no great prudence. Settle the seat of power, teach obedience, and the work is done. To give freedom is still more easy. It is not necessary to guide; it only requires to let go of the rein. But to form a

free government, that is, to temper together these opposite elements of liberty and restraint in one consistent work, requires much thought, deep reflection, a sagacious and combining mind."

V. Discussion Questions

- A. What are the differences between public and private domains as described by Mill?
- B. Is there a clear distinction between self- and other-regard? (Consider specific examples: motorcycle helmet laws, consumption of alcohol or use of tobacco, sale and use of illegal drugs, racial epithets and hate speech.)
- C. Both Mill and Burke address issues like speech, assembly, worship and other forms of conduct undertaken by citizens in a democracy. In what ways do their arguments differ? How might their arguments apply to the issue of liberty in the context of military life?
- D. Do liberties exist that pertain solely to the private conduct of sailors and Marines that should be exempt from intrusion and control by military superiors in the chain of command? Identify some of these and explain why or why not.
- E. Are there, on the other hand, forms of conduct that, in civilian life, are considered private and innocuous, but in the military are appropriately subject to control or regulation? Give examples of these, and explain why rescinding normal civilian entitlements of liberty and privacy might be important and legitimate in military situations.
- F. Feinberg, in his article, suggests that there may be a "doctrine of the logical correlativity of rights and duties." That is, "(i) all duties entail other people's rights and (ii) all rights entail other people's duties."
 - 1. Is this reasonable?

2. How might it apply to civil society (i.e., to American society at large)?
3. Is there any difference if applied to military society?
4. What is the impact (if any) of your answer upon your "duties" as an officer within the Navy/Marine Corps?

VI. In-Class Exercises: Case Studies

- A. Flag Burning - Use one of the many recent situations where people have openly burned flags in accordance with their freedom of speech, to discuss where our liberties encroach upon other people's liberties.
- B. Gay and Lesbian Relationships, although a sensitive topic, is a very contemporary issue that can be used to discuss the difficulty of determining right action in the many gray areas of civil liberties. Does anyone promise the right to have freedom from sexual persecution? What are the foundations behind new laws supporting legal gay and lesbian marriages? Should the government allow benefits such as tax deductions, social security arrangements and others intended for heterosexual relationships to be extended to gay and lesbian relationships?

IMPORTANT NOTE - Instructors should consider leading this discussion to avoid a heated debate about gay and lesbianism. Instead, the focus should be centered on the origin of virtues and who, when, or what is the ultimate authority when deciding what virtues should be protected or infringed upon.

- C. Major Shane Sellers openly disagreed with the ethical decisions and actions of President Bill Clinton. Recent articles about this topic can be found easily by consulting newspapers, magazines, and old issues of periodicals and papers such as the *Navy Times*. In this incident, Major Sellers' virtue and right to speak about public officials was affected by his position as a ranking officer in the Department of Defense subject to the Uniformed Code of Military Justice. Who has the right to draw these fine lines of infringement upon our military leaders? Discussion

of the reasons for such infringements will lead to a better understanding of Liberty as a Virtue and as a Moral Foundation.

- D. "Tailhook" and "Wide Right" Case Studies -- Available in Ethics for Military Leaders.

VII. Supplemental Learning Opportunities

- A. Review current events for new discussion materials or cases.
- B. Ask students to relate life experiences in which they considered themselves obligated to protect/support another's rights and either did or did not meet this responsibility. (Did the case qualify as a moral/ethical responsibility, or did it also include elements of legitimate/legal/command responsibility?)
- C. Ask students to relate life experiences in which they felt their own rights were violated. Do they still feel the same way after studying this unit?

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 8

HOURS: 1.5

TITLE: JUSTICE

I. Learning Objectives

A. Reading Objectives:

1. The student will know the different types of justice (e.g., distributive justice and retributive justice).
2. The student will know the two main principles of justice (i.e., equality of liberty and equality of opportunity) and be able to distinguish "equality" from "egalitarianism".
3. The student will comprehend the conflict Rawls describes between justice and fairness and the aggregate welfare of society, as portrayed in Herman Melville's Billy Budd.

B. Discussion Objectives:

1. The student will comprehend the relation between institutions of justice and the promotion of the common welfare according to Rawls.
2. The student will comprehend and be able to discuss whether the current U.S. Federal income tax represents an "illegal seizure of private property" and what conditions taxation must fulfill in order to be "just," according to Rawls.
3. The student will know the "original position."
4. The student will comprehend Rawls' position on inherited social arrangements and whether they are subject to wholesale renegotiation by the members of each successive generation.

5. The student will apply the insights concerning justice to case studies of discrimination, affirmative action, etc. and understand these contemporary social questions, which are primary areas of the debate over justice in American society.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 7
2. Plato Research at Stanford University's website:
<http://plato.stanford.edu/entries/justice-distributive/>
3. Tuskegee Airmen --
<http://www.wpafb.af.mil/museum/history/prewwii/ta.htm>

B. Student Texts and References:

1. Ethics for Military Leaders, Chapter 7, Overview and Readings 1 and 2
2. Plato Research at Stanford University's website:
<http://plato.stanford.edu/entries/justice-distributive/>

III. Instructor Notes

- A. This is a seminar and group discussion-oriented lesson. It is established as a 1.5-hour block of learning. A variety of contemporary articles and current events can be used to facilitate this discussion.
- B. Use the Rawlsian Role Play exercise to involve the class in determining justice and equality in society.
- C. In preparation for the follow-on class "Virtue Ethics", the instructor should reiterate Rawls' views regarding distributive and retributive justice. The students should understand that the central element of these views is that persons should not be unduly

penalized for coming up short in the "natural lottery." In contrast, virtue ethics focuses on the character of the moral agent.

- D. Video Segments (optional). (NOTE: These video segments are available from the Internet, local resources in your library, and/or video stores. Contact the Course Coordinator for additional video resource information.)
1. Tuskegee Airmen tells of the struggles faced by the black pilots who flew for the U.S. Army Air Corps in WWII. The scene in the clip shows a meeting of a Congressional committee considering ending the program that permits African-Americans to fly. In a moving speech, an officer from one of the black units (West Point graduate who was "silenced" all four years he was there) explains that all the black pilots ask for is "a fair and impartial opportunity" to prove themselves. (NOTE: In the end, the highly decorated "Tuskegee Airmen" not only continued to fly for their country, they became the only bomber-escort group in WWII never to lose to enemy fire a single bomber they were protecting.)
 2. Hart's War has a similar scene. In it, Bruce Willis, as the senior ranking officer, confronts the situation of two African-American pilots who are shot down and taken into a Prisoner of War (POW) camp. One of them becomes involved in the death of another POW, and a mock trial ensues. A couple of scenes will encourage good discussion, especially one in which the lawyer appointed to defend the African-American POW tries to determine the reason Bruce Willis has let this incident go to such extremes. In the final scene of the movie, Bruce Willis essentially takes the blame for everything. All of the POWs realize he does so because he wants the POWs to escape and destroy a nearby weapons production plant.

IV. Lesson Outline

A. Rawls and Justice

1. Discuss classical social contract theory: The idea that government authority derives originally from an agreement between the ruler and the ruled in which the former agrees to provide order in return for obedience from the latter. This theory has been used to support both absolutism (Thomas Hobbes) and democracy (John Locke, Jean-Jacques Rousseau). Students should comprehend hypothetical contracts and whether human beings would ever be able to agree on terms of the necessary contract.
2. Discuss Rawls' simple idea that a society is just or fair if and only if it is governed by principles that reasonable people would agree to if they knew nothing about their own place in society at the time of drawing up the agreement (original position).
 - a. Students should comprehend Rawls' idea that any political and social arrangement reached by reference to the original position is just and fair -- "since all are similarly situated and no one is able to design principles to favor his particular condition, the principles of justice are the result of a fair agreement or bargain."
 - b. He asserts that any free and rational people would reach the same or similar agreement on the basic fundamental principles of social justice under the conditions he specifies. Any principles chosen in the original position (from behind the veil of ignorance) would be justified, and so any state that ran according to those principles would be justified.
 - c. Students should comprehend Rawls' idea that the device of the veil of ignorance accommodates the facts of difference and does so fairly. Since we do not know whether we will be healthy or ill, rich or poor, black or white, we will choose principles that we think are fairest for all.

3. Discuss Rawls' concept of Distributive Justice, which is simply a theory about how the "goodies" of a society (wealth, rights, liberties, and opportunities) are divided up:
 - a. Everyone takes what he wants, by force if necessary; or
 - b. Everyone gets exactly the same share.
4. Present and compare Locke's theory of distributive justice.
 - a. Locke argued that people deserve to have those items produced by their toil and industry, the products (or the value thereof) being a fitting reward for their effort.
 - b. Everyone is entitled to that with which he mixes his labor, provided it doesn't already belong to someone else and provided he leaves enough good for others.
 - c. His underlying idea was to guarantee to individuals the fruits of their own labor and abstinence.
 - d. Distributive systems are just insofar as they distribute incomes according to the different levels earned or deserved by the individuals in the society for their productive labors, efforts, or contributions.

B. Rawls' principles of justice.

1. First principle: Each person has an equal right to the most extensive scheme of liberties for all.
2. Second principle: Social and economic inequalities should meet two conditions if they are to be acceptable. They must be:

- a. The greatest expected benefit of the least advantaged; and
 - b. Attached to offices and positions open to all under conditions of fair equality of opportunity.
- 3. They do not describe any actual society; they describe an ideally just or fair society.
- 4. We can use them to test existing political arrangements. How close does our society come to realizing the two principles?
- 5. These two principles will be a measure of the justice or fairness of a given society.

V. Discussion Questions

- A. What is the relation between institutions of justice and the promotion of the common welfare, according to Rawls?
 - 1. Can you envision situations in which these two distinct social values would come into conflict?
 - 2. Does Rawls in fact believe that utilitarian reasoning is capable of providing a satisfactory account of the basic principles of justice?
- B. Does the current U.S. Federal income tax represent an "illegal seizure of private property?"
- C. What conditions must taxation fulfill in order to be "just," according to Rawls?
- D. What is the "original position?"
- E. Does Rawls believe that one's inherited social arrangements are subject to wholesale renegotiation by the members of each successive generation? If not, what's the point of this exercise?
- F. If using the hypothetical standpoint of the "original position," what value do our judgments hold?

VI. In-Class Exercise

- A. The third reading in Ethics for Military Leaders, "Walking a Fine Line: Qualifications and Equal Opportunity in the Charlotte Fire Department," by Pamela Varley and Marc Roberts, provides a good discussion topic to help the students tackle tough issues regarding justice.
- B. Rawlsian Role Play (attached)

Rawlsian Role Play

GUIDELINES

1. Prior to class, make two copies of the attached sheet of "characters," which you will cut into strips with one character per strip. Fold the strips so that the characters cannot be viewed.
2. Begin class by explaining the original position and how it is meant to function and to create just policies. Present to your class the various characters as they are described on the attached sheet.
3. Split the class into two sections and have them sit in groups. Each group distributes one set of characters. Make sure one of the groups does not unfold their papers, so the characters remain "hidden" to other persons in the group. The other group may open their papers to find which character each member of the group will play.
4. Ask each of the groups to formulate a set of national guidelines for: (1) healthcare, (2) welfare, and (3) education. Make sure the students realize that the more services provided by government, the higher the taxes that are paid by citizens. Each group should choose a secretary to record and present their healthcare guidelines.
5. After an appropriate amount of time for debate, the group whose identities have been "hidden" should unfold their papers to see who they are, and determine how their actions would have differed had they known which character they were portraying.
6. The groups may report their guidelines to each other. The guidelines may be critiqued. The students should also be asked to form an opinion on whether the "original position" is an appropriate mechanism to formulate just laws and policies.

Rawlsian Role Play (Characters):

1. You are a male multi-millionaire, with a wife and two children (14-year-old female and 17-year-old male). You are the CEO of a multi-national corporation, which is best known for the soft drink it produces. Your kids attend expensive private school, while you live in a wealthy, gated community and own a summer home in the south of France. You also own a luxury sedan, a Porsche 911, and a Humvee.
2. You are a public high school mathematics teacher in a low-income urban district. You are a single male with moderate income and were educated at public schools and attended the State University on a need-based scholarship. You are a smoker, live in a one-bedroom apartment, and drive a Dodge Dart.
3. You are an unmarried female with three children (ages 10 months, 2.5 years, and 4 years). You are on welfare and live in government-subsidized housing projects. You do not have a car. You have a prosthetic left arm, having lost the limb at age 11 when you were struck in a hit-and-run by a drunk driver.
4. You are a married, male Navy Captain. You have two daughters (ages 20 and 25) -- the elder married and expecting her first child in November, the younger a Midshipman at the United States Naval Academy. Your wife is a wonderful homemaker and frequent volunteer charity worker who gives most of her time at soup kitchens around town.
5. You are a female auto factory worker who is a divorced mother of two boys (ages 3 and 8). You are a union member with a fairly low income but decent benefits. You live in a two-bedroom, rent-controlled apartment and take the bus to work. Unfortunately, your ex-husband is a "dead-beat dad."
6. You are a homeless 44-year-old male Vietnam Veteran. Since leaving the Army, you have never held a job for more than three months. You are an alcoholic with a failing liver. While in an emergency room once, the doctor told you that your alcoholism and other psychological problems are likely the result of posttraumatic stress disorder.

7. You are a 24-year-old male who used to work as an EMS technician and now realize you were accidentally exposed to the HIV virus while trying to reinsert an IV into a convulsing AIDS patient. You are engaged and plan to be married next June to a social worker you met at the hospital a year ago. You are currently between jobs and uninsured.
8. You are 19 years old and graduated from high school with a "C" average. You are the only child of your middle-class parents and would like to go to college, although you do not know exactly what you want to study. Your parents say they cannot pay for a college education right now, because they are helping support your elderly grandparents. You are living with your parents and working at a fast-food restaurant for minimum wage.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND MANAGEMENT**

LESSON GUIDE: 9

HOURS 1.5

TITLE: VIRTUE ETHICS

I. Learning Objectives

A. Reading Objectives:

1. The student will comprehend the nature of "the good for man" as determined by Aristotle.
2. The student will comprehend the importance of cultivation, throughout life, of appropriate excellences or "virtues" as the means by which we strive to attain the Good (*eudaimonia* or human flourishing).
3. The student will comprehend and be able to distinguish moral virtues or excellences (such as courage or truthfulness) from the virtues or excellences associated with intellectual pursuits (wisdom, intelligence, knowledge) and virtues associated with other practical activities (skill and craftsmanship, physical strength, athletic prowess).
4. The student will comprehend Aristotle's famous theory of the "Mean" as a method of determining the excellence or virtue appropriate to many (but not all) activities or pursuits.
5. The student will comprehend the special status accorded to friendship in the pursuit of a good life, according to Aristotle, as well as the different kinds of friendship one can enjoy.

B. Discussion Objectives:

1. The student will apply Aristotelian principles to the demands and activities of military service (particularly to the profession of a Naval Officer) and identify the virtues most closely associated with this profession.

2. The student will comprehend the importance of virtues in the development and cultivation of good moral character, both as a military professional and as a human being.
3. The student will apply these lessons to practical cases. This application will help them recognize situations that require adherence to particular virtues and those in which conflict between virtues creates a moral dilemma.

II. References and Texts

- A. Instructor Reference: Ethics for Military Leaders, Chapter 8
- B. Student Text: Ethics for Military Leaders, Chapter 8, Overview and Readings 1, 2, 3 and 5

III. Instructor Notes

- A. Utilitarianism and Kantian ethics are primarily concerned with the evaluation of actions. Which actions are morally prohibited? Which are permissible or desirable? Which are obligatory?
- B. In contrast, virtue ethics focuses on the character of the moral agent. The virtue ethicist claims that character is primary in moral assessment.
 1. We do not value people merely because they do the right thing. Rather, we value people who do the right thing for the right reasons with the right desires and attitudes.
 2. Furthermore, character is prior to action. Figuring out which action is correct often requires having a wise and virtuous character.
 3. Arguably, virtue ethics has many affinities with military ethics, as illustrated by the fact that the virtues of courage, honor, and commitment serve as the foundation for training midshipmen.
- C. Virtue theory is enjoying renewed popularity among philosophers. However, in this unit, we go back to

the roots of virtue ethics in Ancient Greece, focusing on the work of Aristotle.

- D. Aristotle rejects the view that happiness is found in pleasure or honor or wealth. Instead, he holds that true happiness and pleasure derive from virtuous activity, whether moral or intellectual.
 - 1. Moral virtue is said to be a mean between the vices of excess and deficiency.
 - 2. Intellectual virtue is found in contemplation and does not necessarily attain perfection as the mean between two extremes.

IV. Chapter Outline

- A. Explain the proper "end" for human beings.
 - 1. All human life is striving to achieve "ends" or goals.
 - 2. Aristotle is concerned with discerning what is the true nature of the "end" or "ends" toward which man ought to aim. He determines that:
 - a. Whatever the proper "end" for man may be, it should be chosen for its own sake (that is, desirable as an end and not as a means to some other end).
 - b. It must be something that is satisfying. It needs nothing further to fulfill its function as the end.
 - (1) It should fulfill the "proper function" of man, and the proper function of man is not the "mere act of living" (nurture and growth), a biological function we share even with plants.
 - (2) It should not be just for the experiencing of sensations -- a quality we share with all the animal kingdom.
 - (3) It belongs to the rational part of man and is expressed in action -- that is, it manifests itself outside of the

individual man; thinking virtuous thoughts is insufficient. Thus, Aristotle's ethics is an inherently "social" theory requiring human interaction.

- c. The proper application of the human function (rationality), according to Aristotle, results in *eudaimonia*, which is often translated into English as "happiness" but is more accurately termed "human flourishing."

B. Virtue Defined

1. Virtue, to Aristotle, refers to some human excellence. We attain virtue by developing one or another of our powers to the peak of excellence. People are not born "virtuous" but do have an innate capacity for virtue.
2. Intellectual, as well as moral, virtues exist. Intellectual virtue arises from learning or the accumulation of knowledge. The development of moral virtue, on the other hand, requires habit and practice as well as knowledge.
3. For Socrates, virtue arose from "knowledge of what was right." To know the right was to do the right. For Aristotle, knowing was not enough. Aristotle believed that we must habituate ourselves to virtue through practice. (In order to become virtuous, we must practice virtue!)

C. Moral Virtue

1. For Aristotle, functioning well (flourishing) requires the exercise of our capacity to reason in accordance with virtue.
2. Moral virtue can generally be seen as the mean between the two extremes of excess and defect. The mean in this case is excellence, not mediocrity.
3. Our rational facility permits us to develop our own discretion in determining the mean through

reference to the actions of others of virtue, our own understanding of ourselves, and experience. In essence, reason allows human beings to increasingly refine their course between two extremes. Virtue becomes easier and easier to practice as we become habituated to virtuous decisions.

4. Aristotle's system for moral virtue, then, is one of means, excesses, and deficiencies. (Review chart on bottom of page 289 of Ethics for Military Leaders, 3rd ed.)

D. Why be virtuous?

1. Virtue in a man will be the disposition which:
 - a. Makes him a good man(produces a good state).
 - b. Enables him to perform his function (rationality) well.
 - c. Will lead to happiness (human flourishing), because it is the proper exercise of our reason.
2. "The function of man is a certain form of life, namely an activity of the soul exercised in combination with a rational principle or reasonable ground of action."
 - a. The function of a good man is to exert such activity well.
 - b. A function is performed well when it is done in accordance with the excellence proper to it. For example, a driver's education student and a formula one racer both control cars. The formula one racer, however, has attained "the excellence appropriate" to driving a car!

E. Aristotle's Caution:

1. Though virtue observes the mean in actions and passions, this is not true for all acts and feelings.

2. Some acts are inherently evil (adultery, theft, murder, etc.).
3. Goodness is one, evil is multiform. It's tough to hit the mark!

F. How do we become virtuous?

1. "The true determinant of the mean is not the geometer's rod, but the guiding principle in the good man's soul." There are absolutes in the form of the extremes, but the mean is a function of the individual and the situation.
2. "Thus a brave man appears rash when set beside a coward, and cowardly when set beside a rash man."
3. Aristotle gives the following guiding principles as we try to develop our habit of virtue:
 - a. Keep away from the extreme that is more opposed to the mean. (One extreme is always more opposed to the mean and, therefore, more dangerous than the other.)
 - b. Note errors into which we personally are most liable to fall.
 - c. Always be particularly on your guard against pleasure and pleasant things. (Note that Aristotle warns or cautions against too quickly choosing the pleasurable; he does not suggest denial of all pleasure. In Aristotle's ethics, passions have a place, but as the servant, not the master, of reason.)

G. Habit and Virtue

1. Virtue is not natural.
 - a. Humans are not born virtuous, but they do possess the capacity for virtue.
 - b. We become virtuous by performing virtuous acts repeatedly until such acts become "second nature."

- c. Thus, "virtue" is the habit of choosing the mean between the extremes of excess and deficiency.
- 2. Explain right and wrong sorts of habituation.
 - a. The right sort of habituation must avoid excess and deficiency. For example, exercise that promotes good health but does not encourage zeal or contemptuousness is good habit.
 - b. An anorexic that habituates him/herself to eating can be prone to gluttony, which is a bad habit.
- 3. Virtues concern pleasure and pain.
 - a. A person's mere action does not spell virtue; a person's pleasure or pain in consequence of action must be taken into account.
 - b. "The just and temperate person is not the one who merely does these actions, but the one who also does them in the way in which just or temperate people do them."

H. Nicomachean Ethics

- 1. The "Cardinal" Virtues. In classic virtue philosophy, there are four cardinal virtues (virtues upon which all others depend). They are:
 - a. Temperance. The mean with regard to the pleasures we share with lower animals. It is the capacity to control one's passions and appetites in a healthy manner; to make rationality master of one's life.
 - b. Courage. The mean between cowardice and foolhardiness. (See later discussion in paragraph H.2 below.)
 - c. Justice. Two main definitions: "That which is lawful" and "that which is fair or

equitable." Thus, justice can be considered as the mean between "giving" and "receiving." There are two forms of justice:

- (1) Distributive, which is concerned with fair distribution of "goods," and
- (2) Corrective or remedial justice, which is concerned with rectifying an inequity.

d. Prudence or "practical wisdom." Prudence is the mean between indecisiveness and rashness. It connects principle with action; that is, it supports virtue (the right end) through choice of the right means to that end.

2. Attainment of any other virtue (generosity/magnificence, magnanimity, ambition, gentleness, friendliness, etc.) is dependent upon attainment of excellence in these four. Some examples of virtue:

a. The virtue of courage.

- (1) Courage involves the feelings of fear and confidence (i.e., death in battle).
- (2) The motive of courage is the sense of honor.
- (3) Courage is a mean with respect to things that inspire confidence or fear.
- (4) Understanding that courage as a virtue is demonstrated through courageous acts done as courageous people would do them, Aristotle identifies five kinds of false courage:
 - (a) Applied compulsion (citizen-soldier).
 - (b) Experience (the professional soldier).

- (c) Passion (anger, etc.).
- (d) Sanguinity (I can suffer nothing - "beer muscles").
- (e) Ignorance (unawareness of the danger/threat).

b. The virtue of friendship.

- (1) Friends are a necessary part of life. (Humans need to have friends because they need to socialize with others of good will and they need to practice friendship toward others.)
- (2) To be friends, individuals must mutually recognize each other as bearing goodwill and wishing well to each other (i.e., you have to know your friends).
- (3) Three kinds of friendship:
 - (a) Utility. Based upon mutual advantage; primarily, the partners are useful to each other. May fade or die when one or the other stops being useful. For example, co-workers may socialize while they are working at the same firm, but once one leaves, they never contact each other again.
 - (b) Pleasure. Simple enjoyment of each other's company; each party seeks his/her own pleasure in the relationship. Fraternity pals may break up if one determines that some fraternity activities (drinking, etc.) are not helping him graduate and ceases to party."
 - (c) Friendship of "excellence." The partners each recognize virtue in the other and wish that individual well for their own sake.

Aristotle acknowledges that these friendships are likely to be extremely rare. The first two types of friendship dissolve easily, whereas the third is enduring.

- (4) The man who intends not only to survive but also to "flourish" will need virtuous friends.

I. The Nature of Character

1. What is character? Nancy Sherman, a reknown author on the subject, says character "has to do with a person's traits; that is with attitudes, sensibilities, and beliefs that affect how a person sees, acts, and indeed lives."
2. Character explains the present actions of individuals and what actions they can be counted on to do in the future (accountability and pattern of action).
3. "To act rightly is to act rightly in effect and conduct. It is to be emotionally engaged, and not merely to have the affect as accompaniment or instrument."
4. "An action motivated by the right principle but lacking in the right gesture or feeling falls short of the mean."

V. Discussion Questions

- A. Are the "cardinal" virtues really the keystone(s) to development of all other virtue? Is it possible to develop other virtues without developing temperance, prudence, courage, and justice?
- B. Can a person have one virtue (e.g., courage) and not another (e.g., truthfulness)? Is this likely? Do certain virtues naturally hang together in some way? Why or why not?
- C. Do you agree with Aristotle that practical value typically involves finding some Golden Mean in

actions? You can probably think of people you regard as virtuous who are not engaged in finding a mean. Even if this is so, do you agree that, in general, virtuous people do follow the Golden Mean?

- D. What is "virtue" according to Aristotle? How does an individual acquire virtues or become virtuous? What part do laws and regulations, such as UCMJ or battalion regulations, play in molding virtuous character?
- E. Is "patriotism" a virtue in the Aristotelian sense? If it is, what is it the mean between? Alternatively, is it perhaps the sum of a number of Aristotelian virtues like "courage" and "pride?"

VI. In-Class Exercises. Divide the students into small groups and have them discuss "The EE Cheating Case at USNA" reading (found in Ethics for Military Leaders) among themselves and present their findings to the rest of the class.

VII. Supplemental Learning Opportunities: Divide the students into small groups and have them discuss the "from Achilles in Vietnam" reading (Reading 4, Ethics for Military Leaders) among themselves and present their findings to the rest of the class.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND MANAGEMENT**

LESSON GUIDE: 10A

HOURS: .75

TITLE: NATURAL LAW

I. Learning Objectives

A. Reading Objectives:

1. The student will know the difference between descriptive laws (scientific), prescriptive laws (natural and divine laws), and human laws (civil, positive, and statute).
2. The student will know the four features of law according to Aquinas and comprehend how natural law can be explained in terms of moral standards and the four inclinations of human beings.
3. The student will comprehend the concept of "the common good" and how it differs from the concept of "the greatest good for the greatest number."
4. The student will comprehend the principles of forfeiture and double effect.

B. Discussion Objectives:

1. The student will apply the theoretical principles of natural law to concrete situations involving apparent conflicts between natural, divine, and human law.
2. The student will apply the principles of forfeiture and double effect (as presented in this unit) to moral, ethical, and social issues through development of well-reasoned argument and the ability to state defensible positions.
3. The student will be able to discuss the concept of "human nature" as it applies to the understanding of natural law.

4. The student will be able to discuss the views of C.S. Lewis, who proposes that natural, divine, and human laws are derived from inherent human knowledge of right and wrong and are evidence of the existence of a transcendental being (God).
5. The student will comprehend the moral, ethical, and legal responsibilities of the military commander in upholding natural, divine, and human laws.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 9
2. Teaching Tips, 11th ed., Chapter 16
3. "Rescue Mission" Case Study (Ethics for the Junior Officer, Issue 6, A-21)

B. Student Text: Ethics for Military Leaders, Chapter 9

III. Instructional Aids:

A. Videos:

1. Rules of Engagement (Video Segment)
2. Men of Honor (Video Segment)
3. Peacemaker (optional video segment)

B. VCR/Monitor or projection system

IV. Instructor Notes

- A. The initial part of this lesson is a seminar and group discussion-oriented lesson. The concepts presented in the initial part of the lesson may then be explored through conducting case studies of the "Rescue Mission" and/or "Natural Law and Military Policy" cases.

- B. The natural law tradition is one of two (possibly complementary) approaches to theological ethics. (The other approach, Divine Command, will be studied in the next unit.) Natural law ethics seeks to read the moral law "off the face of nature." Natural law is theological because its proponents understand God to be the creator of the world. Simply put, to understand the moral law, one must understand God's intentions. A clue to God's intentions can be found in the world God created, including that part of the world that is the set of human beings. Typically, though not exclusively, natural law theories focus on human nature in order to identify proper human action.
- C. The second half of this lesson involves case studies. It is imperative that both the students and the instructor be familiar with the cases and the case study method in order to ensure a quality learning experience. (See Teaching Tips, Chapter 16.)
- D. Rules of Engagement (Video Segment) - A Marine Colonel must decide whether to fire into a crowd of civilians, knowing that not all of them are combatants. He does so to save the lives of a few Marines, and the Ambassador and his family. This portion of the video will bring up much discussion about the fairness of saving the lives of a few Marines (outsiders) at the risk of so many civilians. If you incorporate the idea that most of the innocent civilians are truly innocent (e.g., they do not understand the terrorists may be using them as human shields to create an international political dilemma for the Americans), then the students will truly have to grasp the concept of Natural Law and realize that people have different ideas of how to apply natural law.
- E. Men of Honor (Video Segment) -- During the first ten minutes of the video, a young black sailor and those on his ship face the reality that black sailors had only one swim day, and it was not the same as the white sailors'. Most of the students will not be able to relate to this discrimination -- a discrimination that was "natural" to most people in the last half of the 1800s and first half of the 1900s. Discuss this situation in light of Natural Law during the pre-civil rights movement era.

- F. Peacemaker (optional video segment) -- This movie has some scenes that can be used for discussion of contemporary issues on Natural Law topics. In the movie, a military sniper is ordered to shoot a man carrying a nuclear device (intended to blow up New York City). However, the culprit is walking near civilians (in particular, a father carrying his daughter on his shoulders), who may be killed or wounded if the sniper takes his shot.
- G. This lesson and the lesson on Divine Command can easily be rolled into one classroom setting. Consider a way to transition into Divine Command, either as part of this class or in preparation for the next class session.

V. Lesson Outline

- A. Two important things about natural law theory:
 - 1. Natural laws are prescriptive; they tell us how we ought to behave. In this sense, they are unlike physical laws (gravitation), which tell us how things do in fact behave and are, therefore, descriptive. Unlike rocks, we are always at liberty to disobey the natural laws that pertain to us. This is how we sin.
 - 2. Natural laws are absolute, because the goods in which they are grounded are incommensurable -- that is, there is no common metric that would allow us to compare them. Hence, there can be no 'trade-offs' between, say, protecting life and seeking knowledge OR, more importantly, between protecting this life rather than that life.
- B. Two Principles:
 - 1. The principle of forfeiture: If I threaten your life (i.e., violate the principle concerning the protection of life), I forfeit my right to life. Thus, killing in self-defense is morally permissible.

2. The principle of double effect, often called the doctrine of double effect (DDE). Fundamentally, DDE distinguishes between the intended and the foreseen but unintended consequences of actions. DDE holds it sometimes morally permissible to bring about foreseen but unintended effects (e.g., the death of a fetus), so long as one's intentions are to bring about a good effect (e.g., saving the life of a pregnant woman).
- C. It is permissible to perform an act that will have evil effects only if:
1. The act is good in itself, or at least morally indifferent.
 2. The intention of the actor is good (i.e., he aims only at the acceptable effect). The evil effects are not part of his purpose; they are not a means to his end.
- D. C.S. Lewis argues that humankind's knowledge of right and wrong (i.e., human nature) can provide justification for belief in God. Consider his arguments and the following questions:
1. Do all human beings share a nature?
 2. Apart from our genetic code, what else is it plausible to say that all human beings have in common?
 3. How much do we fail to have in common with others?

VI. Discussion Questions

- A. Do all human beings share some similar nature? Apart from our genetic code, what else is it plausible to say we share? What is the moral relevance of this nature we share, if it exists?
- B. Does the mere fact that something comes naturally make that something morally good or permissible? Can you give examples? (For example, desire for revenge.)

- C. Does the mere fact that something is artificial (unnatural) make that something morally good or impermissible? Can you give examples? (For example, genetic engineering.)
- D. In what ways do the tenets of natural law theory continue to exert an influence in public discussions of morality? (For example, homosexuality and/or abortion.)
- E. Can you propose alternatives to C.S. Lewis' claim that humankind's sense of right and wrong is explained by the existence of God? Could right and wrong be behaviors learned through natural selection and thus explained by evolutionary theory?
- F. What do your previous studies in this course tell you to do as a military leader when you are presented with apparent conflicts between natural, divine, and human law? Do any of these types of law always take clear precedence over any other? Does it matter if the dilemma involves only you or if it has ramifications for those you are leading?

VII. In-Class Exercises: Case Studies

- A. "Natural Law and Military Policy" (Ethics for Military Leaders, Chapter 9, Reading 4)
- B. "Rescue Mission" (Ethics for the Junior Officer, Issue 6, page A-21)

VIII. Supplemental Learning Opportunities

- A. Review current events for new discussion material or cases.
- B. "Natural Law Project," by Shannon French. (Simplified version below. Extended version may be found in the USNA NE 203 Instructor's Guide. Contact Course Coordinator or USNA website if additional information is desired.)

This exercise allows students to determine if certain acts are "natural" or "unnatural." They can then discuss the moral and ethical consequences, if any, of

placing those acts in either category. The following guidelines can be used to conduct a scaled-down version of Dr. French's project.

1. Divide the class into 3-4 small groups. Give each group a copy of the "natural or unnatural" checklist that follows. You can add more contemporary items to this checklist in order to guide group discussion in a particular direction.
2. Instruct the students to agree whenever possible on whether each behavior is natural or unnatural.
3. Give each group 5-10 minutes to fill out their checklists (one list per group). Collect the lists.
4. Before posting the results, ask a spokesperson from each group to recap how they decided whether the behavior was natural or unnatural. Also have them clarify how their criteria differ from Aquina's criteria.
5. Read the results on the completed checklists. Have the class discuss/debate any major differences of opinion among their groups. Also ask whether the behaviors they declared "unnatural" should be considered immoral.
6. Ask them how Aquinas would have marked the list. Point out that Aquinas considered REASON to be part of human nature and that reason directs an individual to pursue universal goods (i.e., truth and justice). Also note that Aquinas (following from Aristotle) viewed humans as inherently social beings, meaning that the good for the individual and the collective good would often be linked.

Natural Law Exercise Checklist

Natural/Unnatural (Circle the appropriate letter for each.)

1. **N/U** Living peacefully with your neighbors
2. **N/U** Dominating your neighbors
3. **N/U** Enslaving your neighbors
4. **N/U** Maintaining a hierarchical social structure
5. **N/U** Killing your neighbor and your neighbor's children
6. **N/U** Stealing your neighbor's spouse
7. **N/U** Killing your mother or father
8. **N/U** Killing your spouse
9. **N/U** Killing your children
10. **N/U** Killing your stepchildren
11. **N/U** Killing an animal for pleasure or to sharpen your hunting skills
12. **N/U** Defending your home
13. **N/U** Defending your family
14. **N/U** Abandoning your children
15. **N/U** Fighting a rival to death to win a spouse
16. **N/U** Fighting a rival to death for power
17. **N/U** Rape
18. **N/U** Abortion
19. **N/U** Suicide
20. **N/U** Homosexual Acts
21. **N/U** Polygamy
22. **N/U** Euthanasia

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 10B

Hours .75

TITLE: DIVINE COMMAND

I. Learning Objectives

A. Reading Objectives:

1. The student will know and be able to identify the differences and similarities between ethics based in divine command and ethics based in natural law.
2. The student will be able to recognize and apply the theoretical position of divine command to specific cases and issues. In particular, identify possible tensions between divine command and legal rules and obligations and suggest possible actions to deal with these issues.
3. The student will know the methods by which a follower of divine command theory could "come to know the divine law."

B. Discussion Objectives:

1. The student will comprehend how someone's religious beliefs might conflict with military obligations, and how individuals with vastly different views on religion can successfully serve together.
2. The student will comprehend and be able to discuss the notion that the millions of stimuli that impinge on one's conscience represent either Divine Command or acts of God.
3. The student will know and be able to discuss how one should respond when an individual practices extreme racist behavior (e.g.,

ethnic cleansing) and claims that his actions are according to god's will as expressed to him from a divine source. The student should be able to discuss how they might rationally persuade this individual that his actions are impermissible.

4. The student will be able to comprehend and discuss the concept: "Is an act good because God loves it, or does God love it because it is good?" The student should be able to discuss the point of the distinction and if things good are independent of God, or are good because of God's will?

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 10
2. "Rockwood in Haiti," Dan Coughlin, Haiti Progres Journal, 20 March 1995. Available at: <http://www.hartford-hwp.com/archives/43a/044.html>

B. Student Text: Ethics for Military Leaders, Chapter 10

III. Instructional Aids

A. Videos (optional):

1. Sergeant York
2. Patton

B. VCR/Monitor or projection system

IV. Instructors Notes

- A. This is a seminar and group discussion-oriented lesson, designed to be a .75-hour block of learning. A variety of contemporary articles and current events can be used to facilitate this discussion.

- B. Upon completion of this class, in preparation for follow-on classes, the instructor should reiterate Divine Command Theory so students understand the legal and religious issues they will continually face as professional military officers. This reiteration will help students more closely connect the chapters they have read and the ethical foundations they have studied to war and the military.
- C. This class can easily be conducted in .75 hours. You may desire to use outside articles to assist in defining the topics.
- D. Sergeant York (optional video segment) -- This movie (based on the true WWI hero from Tennessee) shows York wrestling with the problem of reconciling the biblical commandment, "Thou shalt not kill," with his desire to defend his country. During this clip, York transforms from a conscientious objector to a willing and effective soldier. This video is old but a useful example to generate discussion of the relationship between divine beings and warfare.
- E. Patton (optional video segment) -- In this movie, there is a clip where Patton is anxious to take his tanks and men into the Battle of the Bulge to rescue the allied units that have been surrounded by the Germans. He cannot do so, however, without air coverage. Unfortunately, poor weather has grounded the allied airplanes. The General orders a chaplain to write a "weather prayer" to ask God to allow the planes to fly. The chaplain is initially uncomfortable with the request (because it seems to amount to asking God to help one group of men kill another group of men) but eventually complies. The weather ultimately clears, and Patton praises the chaplain for "being in good with God." This is another good, thoughtful piece. It will help students think about how their god would regard being asked to support them in wartime.

- F. Remember to develop a transition from this lesson into the lesson you have chosen to teach next. The topics of Divine Command and Natural Law flow nicely into the Just War and Conduct of War lessons.

V. Lesson Outline

A. Divine Command Theory

1. Discuss the Divine Command Theory. God communicates the moral law to humans in a relatively straightforward way (e.g., through divinely inspired writings, such as the Bible and the Koran, or through personal revelation). The Ten Commandments of the Bible are a prominent example of moral rules that are followed as if directly communicated by God.
2. Discuss problems with the Divine Command Theory. The theory is difficult to apply when two parties disagree about morality, yet both claim access to divine law. A believer's purportedly direct access to God's moral rules may leave him/her little room to modify his/her views in order to reach a compromise position with persons who advance a different moral standard. Yet, there seems to be no neutral way to adjudicate among competing faith commitments in a pluralistic society.
3. Discuss the difficulties of reasoning with someone who believes they are acting on the will or desire of their god, since the individual receiving their god's commands believes he/she is "free from any transparent bondage or principles of legalism."
 - a. Discuss this with relation to Hitler and the Nazis during World War II.
 - b. Utilize the Taliban/Al Queda beliefs shared by millions of Muslims willing

to die for their cause to rationalize why different religions must find compromise. How do you justify such radical beliefs that are an intricate part of someone's culture?

4. Discuss the importance of the commitment to faith and the affect it can have on an individual's life. Undoubtedly, such a commitment can lead one to live a more thoughtful, reflective, moral life. However, it is not always easy to integrate one's commitment to faith with the demands of a secular state in a pluralistic society.
- B. Religions often use moral ideals as models of proper behavior. Discuss why most religious figures (i.e., Jesus, Buddha, or Allah) are considered morally perfect. If they have faults, do these faults involve moral violations, doing what is morally prohibited; moral weaknesses, doing the less perfect thing; or being tempted to do something evil?

VI. Discussion Questions

- A. Is David Robinson (NBA Star) a good role model? Could someone embody the same virtues as Robinson without possessing the same religious faith?
- B. How might religious beliefs conflict with military obligations? Can people with vastly different views on religion successfully serve together? What is the "original position?"

VII. In-Class Exercise

- A. "What to Say" Case Study (attached)
- B. "Acting on Conscience: Captain Lawrence Rockwood in Haiti" Case Study (Ethics for Military Leaders, Chapter 10, Reading 3). Based on the true story of a U. S. Army counterintelligence officer whose moral convictions (some of which related to Buddhist religious beliefs) drove him to act without authority and outside the chain of command

to try to help political prisoners in Haiti. The case can be used to discuss how deeply held beliefs, religious and otherwise, might sometimes seem to come into conflict with military obligations and how such situations should be handled.

VIII. Supplemental Learning Opportunities

- A. Review current events for new cases and contemporary issues to discuss with the students.
- B. "The discovery of a U.S. citizen fighting for the Taliban is a sensitive but contemporary example of people claiming a higher authority than country, state, military, or people. In fact, it is one of the ideas that founded America." If this topic is properly developed, it can be an interesting and useful tool to help cover the key points in Divine Command. Be aware of the sensitivities this subject can expose and be prepared to guide the discussion to meet the lesson objectives.
- C. Exercise on "Religious Diversity in the Ranks" (attached)

"What to Say" Case Study
by T. W. Thomasson, CAPT, USMC

1. Counseling on issues like sex, race, health problems and even death in the family is difficult. But perhaps one of the most difficult issues you will face in counseling your young sailors and marines will be unplanned parenthood. This issue is difficult to discuss, much less give help with to young military members. Nevertheless, it is an issue you are likely to face early in your career. This case study or in-class exercise is designed to help provide some experience with a tough, personal, moral and, for most, religious issue.
2. **"What to Say?"** -- One of your sailors has requested leave from your overseas duty station. She is a single, female who recently reported to the remote naval station. She has recently broken up with the boyfriend she left behind in the states. She has requested her annual morale leave (higher priority leave status for Military Airlift Command (MAC) for personnel in remote sites that have been on station for more than 179 days) in order to bump her ahead of other personnel taking annual leave from the island. The base chaplain approaches you with the following statement: "It has come to my attention that your sailor has requested morale leave in a couple weeks and she intends to catch a military airlift to another country. I would not bother you with this, but I suspect she is pregnant and is taking the leave in order to fly to another country to have an abortion. I feel it would be inappropriate for you to authorize her morale leave status ahead of other annual leave personnel, or to allow her to utilize military aircraft at all for this purpose!"
 - a. What do you do? Will you allow her to go on leave? Will it be annual leave (which might force her to be bumped to low on the passenger list for MAC flights)?
 - b. What do you tell the chaplain? Is this issue something he should be meddling in, or is this a

privacy issue he should not have brought to your attention?

- c. What kind of precedent do you set for your command if you authorize this, knowing that if the chaplain knows the circumstances, so will other sailors?
- d. Do you counsel this young sailor?
 - (1) Put the students in teams of 2-4 students. Keep the groups as diverse as possible. Try to include gender, ethnic, and religious differences.
 - (2) Have one student attempt to counsel another student as if that student were the young sailor who is pregnant, the chaplain who brought this to your attention, or a male sailor faced with a girlfriend considering abortion.

Religious Diversity in the Ranks

by T. W. Thomasson, CAPT, USMC

1. You are the Commanding Officer of Headquarters and Service Company of the Battalion Landing Team for the 26th Marine Expeditionary Unit. You are currently stationed outside of Kandahar, Afghanistan, on a makeshift airstrip preparing for further operations inland against the Taliban Muslim forces that have declared a "holy war" on the legitimate Afghani government and the United States. You have been told by your Company 1stSgt that one of your Marines is requesting mast to see the Battalion Commander and MEU Commander. When you ask your 1stSgt what the problem is, he responds, "Sir, this blooming idiot is a devout Muslim, and does not feel he belongs in the middle of this war. He refuses to participate in any action against other Muslim people."
2. When you hold mast at the company level, what might you say to help this young Marine clear his conscience about the tasks at hand? If he is not satisfied with your counseling and suggestions, what do you recommend to the battalion commander? Should you remove the Marine from the combat zone? Do you simply send him to the rear or back to the ships to support the operation from the rear?
3. What should you say if anything, to the 1stSgt and the other Marines who might consider this a cowardly, or even treasonous, act? What do you do to prevent other Marines from harming or patronizing this individual? Do you process this Marine out of the Corps for being a conscientious objector?
4. What impact might this have on other Marines' decisions to fight when the task at hand gets really tough or Marines start dying? Will others try to suddenly claim religious exclusion from this particular fight? What do you do if that occurs?

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 11A

HOURS: 1.0

TITLE: JUST WAR THEORY

I. Learning Objectives

A. Reading Objectives:

1. The student will know the origin and the general considerations required of the state in entry into and conduct of war under the Just War Theory.
2. The student will know the foundation for the Legalist Paradigm and the Theory of Aggression.
3. The student will know the tenets of the Weinberg Doctrine.
4. The student will comprehend the challenges that humanitarian intervention operations pose for each of the three theories.

B. Discussion Objectives:

1. The student will comprehend and discuss the main points of classical just war doctrine and the situations in which it provides a clear justification for the use of force.
2. The student will know the differences between just war doctrine and the "law of war" -- the provisions governing our conduct in pursuit of military objectives.
3. The student will comprehend and discuss the similarities and differences among classic Just War Theory, the Legalist Paradigm and the Weinberg Doctrine.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 11
2. Just and Unjust Wars, Entire Book
3. Joint Services Conference on Professional Ethics (JSCOPE) website:
<http://www.usafa.af.mil/jscope>
4. Black Hawk Down (optional book or movie excerpts discussed further in this lesson under Instructor Notes section)

B. Student Text: Ethics for Military Leaders, Chapter 11, Overview and Readings 1, 4 and 5

III. Instructional Aids

A. Videos (optional):

1. Three Kings; Warner Brothers 1999
2. Black Hawk Down; Sony Pictures Digital Entertainment 2001

B. VCR/Monitor or projection system

IV. Instructor Notes

A. Instructors may want to consider teaching this lesson in conjunction with The Law of Armed Conflict, Conduct of War and any discussions on Rules of Engagement. These difficult and important subjects are vital to the success of any military operation, or leadership decision-making during peacetime or conflict. Teaching these lessons in conjunction with Just War Theory allows students to contemplate why we make and abide by rules and laws of warfare.

B. Suggested discussion resources:

1. Three Kings (optional video segments) -- Conversations between the captured African American Soldier (played by Ice Cube) and

his captor can provide good topics of discussion with regard to the various Just War theories. While torturing Ice Cube, the "captor" describes how American bombs killed his wife and child, and convincingly challenges U.S. motives for fighting the Gulf War.

2. The continued U.S. bombardment of the Taliban and Al Queda targets in Afghanistan after Northern Alliance and Taliban forces reached a cease-fire agreement is the topic of much discussion regarding our reasons for war against the Taliban and the terrorist organization. Likewise, our continued sanctions and bombing against Iraq continue to be topics of heated discussion. The reasons for which the U.S. policymakers, and military still strictly support the no-fly zones and the U.N. inspections are great topics to help students understand the concepts of Just War Theory.
3. Black Hawk Down (optional book and/or video segments) -- This topic can be further researched to add significantly to this lesson. In the book and the movie, Rangers are reacting to a situation in which it is difficult to understand why so many people in a city are willing to fight against such a formidable enemy. The Somali citizens and paramilitary forces fight hard with blatant disregard for their lives and the lives of innocent civilians around them. You can find a tremendous number of recent articles discussing the U.S. role in Somalia and why we had such difficulty; in particular, you can find many well-written pieces on why the Rangers had such significant loss of life and difficulty in this particular action in Somalia. Regardless of the students' views, this situation will encourage deep thought regarding the decision to declare "Just War."

V. Lesson Outline

- A. The growth of a community of nations.
1. In the past, there was no organized international community to serve as a "court of opinion" when nations went to war. If one nation suffered an unprovoked attack by another nation, the "victim nation" had nowhere to submit a protest.
 2. The first development of a true international community began in the wake of World War I, "the war to end all wars." A League of Nations was formed which had as its primary mission the prevention of war. As Paul Roush notes in the reading, "War, for the first time, was seen not only as an issue of state-against-state violence, but as a transgression against the international good."
 3. Although the international community was able to reach a consensus to "condemn war as a solution for international controversies and . . . as an instrument of national policy," it did not yet have any realistic way to enforce its policies. The Nuremberg Trials after WWII represent the first time the international community was able to back up its moral outrage with real acts of legalized vengeance undertaken in the name of all humanity.
- B. Just War Theory arises out of the western religious concern over the fundamental conflict between universal human values (as embodied in the Christian religion) and the violence and destruction of war.
1. St. Augustine: "A just war is wont to be described as one that avenges wrong, when a nation or state has to be punished for refusing to make amends for the wrongs inflicted by its subjects or to restore what it has seized unjustly."
 2. St. Thomas Aquinas: "And just as it is lawful for them (those who are in authority)

to have recourse to the sword in defending the common weal against internal disturbances, . . . so too is it their business to have recourse to the sword of war in defending the common weal against external enemies."

3. Contemporary thought (Walzer): "Aggression is the name we give to the crime of war. The wrong the aggressor commits is to force men and women to risk their lives for the sake of their rights."
- C. Aggression is the only crime that states can commit against other states; everything else is a misdemeanor.
1. All aggressive acts have one thing in common: They justify resistance!
 2. Force cannot be used between nations, as it often is between persons, without putting life itself at risk.
 3. Discuss the phrase, "War is hell," by General W.T. Sherman. Get students engaged in a discussion about the different aspects of war such as the fog of war, the inability to control war, the death and destruction of War. What are military leaders referring to when they quote General Sherman?
- D. Explain what Walzer meant by these statements:
1. "The duties and rights of states are nothing more than the duties and rights of the men who compose them."
 2. "Whatever limits we place on the means and range of warfare, fighting a limited war is not like hitting somebody."
- E. Summarize the case of Alsace-Lorraine and explain the difficulties posed by "forcible settlement" and "colonization."

F. In the traditional or classical sense of Just War Theory, certain standards were used to distinguish justified from unjustified wars. Discuss the following two areas:

1. The Western ethical tradition has a long history of establishing standards to distinguish justified from unjustified wars. The decision to declare war is, of course, made on a national level, but an understanding of the types of justification of war is important to the conscience of individual soldiers and sailors. The two central questions in Just War Theory are:
 - a. "When is war morally justified?" (*jus ad bellum*).
 - b. "What actions and conduct are justified by war?" (*jus in bello*).
2. Today, we judge the actions of nations in much the same way that we might judge individual human actions. Nations themselves are seen as "moral actors" in the international community and, as such, are worthy of moral evaluation and criticism.
3. States can now be required to revise their behavior in order to bring it in line with accepted international moral norms.

G. Conditions which justify going to war...*jus ad bellum*

1. Use these items to help explain "just cause."
 - a. Explain Walzer's premise, "Nothing but aggression can justify war."
 - b. "...a just cause for war can only arise out of the necessity to restrain and correct a wrong-doing of others on behalf of the public good." (Potter)

- c. The following principles can serve as guidelines in determining the justice of the cause:
- (1) Differences in religious or political ideology are not in themselves justification for war or intervention.
 - (2) Nations should hold strong presumptions against intervening in the internal affairs of other nations or taking sides in a civil war.
 - (3) Nations are justified in coming to the aid of another nation when that nation is unjustly attacked by a third nation.
 - (4) Intervention is justified on the request of a government to balance support given by a third nation to an insurrection or insurgency.
 - (5) Intervention is justified on behalf of a revolutionary force seeking to overthrow an extremely oppressive regime, provided that this force has general popular support and has requested intervention.
 - (6) Intervention is justified to stop massive abuse of human rights.
 - (7) Intervention is not justified if definitive determination cannot be made whether unrest in another nation is justifiable revolution with broad popular support or unjustified intervention by a third nation with little popular support.

2. Discuss "competent authority."

- a. In war between nations, the right authority is the national command authority -- the sovereign government of the nation by virtue of its responsibility to provide for the common defense.
- b. Today, it is becoming more politically necessary to have the endorsement of the U.N. Security Council before engaging in actions other than direct defense of sovereignty/national territory.
- 3. Comparative justice: The conflict will, if successfully fought, increase the overall level of justice.
- 4. Right intention -- attitudes and goals in war:
 - a. The current focus of the discussion around "right intention" is on the impropriety of the motives of vengeance, cruelty, and hatred. Demonizing one's foe can lead quickly to denial of their basic humanity and, ultimately, to events like those at My Lai.
 - b. If opposing aggression is the only just cause for war, as Walzer says, then the only justifiable goal for war is stopping aggression; that is, a restoration of a just peace.
- 5. Last resort.
 - a. Resorting to force is moral only when truly necessary, when viable alternatives are not available.
 - b. Every conceivable alternative to war need not be attempted. The nature of some aggressive acts may preclude some alternatives due to the press of events

and lack of time to allow them their effect.

6. Probability of success.
 - a. Lives and goods are to be defended, but not squandered.
 - b. The state has an obligation to consider the likelihood of a successful conclusion to a conflict and the human cost of failure.
7. Proportionality of ends -- the effects of war.
 - a. In general, proportionality is "counting the costs," or, simply, a cost-benefit analysis.
 - b. In the *jus ad bellum* sense, this principle insists that there be "due proportion, that is, less evil occurring from the act than from not acting in the manner contemplated."
 - c. The theory requires that the following tests be successfully faced in waging "just war:"
 - (1) Proportionality of means -- the means of fighting, including tactics and weapons, should be proportionate to the provocation and the mission.
 - (a) Proportionality in the conduct of combat is related to but fundamentally different from the principle of war called "economy of force."
 - (b) Economy of force is principally concerned with efficient use of resources. Proportionality seeks to

determine how much force is justified in response to the aggression the combatant force(s) is/are facing.

- (c) The force used should be limited in magnitude, intensity, and duration. It should be confined to that which is reasonably required to counter the aggressor's force. It should be in proportion to the military advantage to be gained.

(2) Discrimination/non-combatant immunity:

- (a) Noncombatants should be immune to attack.
- (b) The problem is deciding who is a noncombatant; that is, the problem of discriminating non-combatant from combatant. The dividing line has shifted over the years, as the character of warfare has changed.

H. Walzer in Just and Unjust Wars presents the position that the only justifiable reason for fighting is the defense of rights. This is known as the "Legalist Paradigm." The Legalist Paradigm condemns "preventative wars, commercial wars, wars of expansion or conquest, religious crusades, revolutionary wars, [and] military interventions."

1. Walzer identifies six propositions that summarize the "theory of aggression." These propositions may be used to test the justice of a military conflict.

- a. There exists an international society of independent states.

- b. This international society has a law that establishes the rights of its members -- above all, the right of territorial integrity and political sovereignty.
 - c. Any use of force or imminent use of force by one state against the political sovereignty or the territorial integrity of another constitutes aggression and is a criminal act.
 - d. Aggression justifies two kinds of violent responses: a war of self-defense by the victim and a war of law enforcement by the victim and any other member of international society.
 - e. Nothing but aggression can justify war.
 - f. Once the aggressor state has been repulsed, it can also be punished.
2. Walzer also identifies new additions to the Legalist Paradigm resulting from the changing nature of the international community:
- a. States are justified in using military force in the face of threats of war when the failure to do so would seriously risk their territorial integrity or political independence.
 - b. States can be invaded and wars justly begun to assist secessionist movements once they have demonstrated their representative character.
 - c. States can be invaded and wars justly begun to balance the prior interventions of other powers.
 - d. States can be invaded and wars justly begun to rescue peoples threatened with massacre.

- e. States responding to aggression are limited (except when directed against Nazi-like states) in their quest for justice to resistance, restoration, and reasonable prevention of subsequent repetition of the aggression. The response falls short of the domestic conventions of capture and punish.
- I. The Weinberg Doctrine is a uniquely American approach to compelling our leaders to involve our nation only in just wars.
- 1. There are six criteria which must be met in order to justify U.S. involvement in war:
 - a. The U.S. shall not commit forces unless the engagement is deemed vital to our national interests or those of our allies.
 - b. The force shall not be committed unless wholeheartedly and with the clear intention of winning.
 - c. Forces should not be committed without clearly defined political and military objectives and the appropriate force structure to achieve those objectives.
 - d. The relationship between objectives and the size, composition, and distribution of forces committed must continually be reassessed and readjusted, if necessary.
 - e. Forces must not be committed without some reasonable assurance of the support of the American people and their elected representatives in Congress.
 - f. Forces are not to be committed except as a last resort.

2. Are these criteria sufficient? Are they too restrictive? Are there conceivable instances when a conflict that passes the Weinberg Doctrine test might be unjust? Could a situation arise where the conflict would be just, but not pass the Weinberg Doctrine tests?

J. Military necessity.

1. Is "all fair in love and war?" Is it right for a defending nation to employ proscribed means if these are necessary to avoid defeat by an aggressor?
2. The jury appears to still be out on this one. It depends upon whether you view moral principles as absolute rules (Kant) or guidelines (Utilitarianism).
 - a. In a question of military necessity, the duty not to harm noncombatants is often in direct conflict with the duty to protect human life by defeating aggression.
 - b. For an action to qualify as a military necessity, the context must be one in which defeat is truly an issue. Only then can acting out of military necessity be defended.

K. Why are conditions for going to war and conditions for conduct in war important to each military member?

1. Why do we fight?
2. For what purpose should human beings be willing to go war, deploy force, and engage their military in conflict?
3. How should such decisions be made?
4. Is there a difference between the killing of enemy soldiers during wartime and murder? Assuming there is, what is that difference?

- L. Consider the recent humanitarian deployments of military force in Bosnia, Haiti, Somalia, or Rwanda. Test the legitimacy of these deployments with respect to:
 - 1. Classical Just War Theory
 - 2. The Legalist Paradigm
 - 3. The Weinberg Doctrine
- M. In what ways does the recent focus on international human rights infringe on individual nations' rights to self-determination?
- N. If nation states have rights to non-interference (in the same way that persons have rights to non-interference), how can military intervention be justified?
- O. Roush makes the point that the advent of nuclear war has spurred more interest in Just War Theory in recent years.
 - 1. How has the possibility of nuclear war reinforced the idea that the judge of conflicts between nations cannot just be the warring nations themselves?
 - 2. How has the greater interdependence of the modern world impacted this discussion?
- P. Today, the United Nations has taken on the role of worldwide peacekeeper, and the UN Charter is very clear in its condemnation of all causes for going to war except defense.
- VI. Discussion Questions: (NOTE: Some of these are also included in the lesson outline.)
 - A. Why do we fight?
 - 1. For what purpose(s) should human beings be willing to go to war, deploy force, and engage their military in conflict?
 - 2. How should such decisions be made?

3. Through what procedure should the decision be made?
 4. According to what criteria?
- B. Walzer lists six propositions that summarize the theory of aggression. Are there historical examples of conflicts that violate one or more of the propositions? How did the combatant nations justify their fighting at the time?
- C. Consider the recent "humanitarian" deployments of military force in countries like Bosnia, Haiti, Somalia or Rwanda. Pick one instance of such a deployment and test its legitimacy with respect to:
1. Classical "just war" theory;
 2. Modern international law (the "Legalist Paradigm"); and
 3. The Weinberg Doctrine.
- D. Is there a difference between the killing of enemy soldiers during wartime and murder? What is that difference?
- E. Since war is an inherently violent activity in which innocent persons are frequently (if inadvertently) harmed or killed, what is the point of making a distinction between combatants (soldiers) and non-combatants (normal citizens)?
- F. In what ways does the recent focus on international human rights infringe on individual nations' rights to self-determination?
- G. If, as Walzer seems to think, nation states have rights to non-interference (in the same way that persons have rights to non-interference), how can military intervention be justified?
- H. Roush makes the point that the advent of nuclear war has spurred more interest in Just War Theory in recent years. How has the possibility of nuclear war reinforced the idea that the judge of

conflicts between nations cannot be merely the warring nations themselves?

- I. Looking back over the moral theories presented in this course, it may be worthwhile to talk over with your students whether moral laws apply in the context of war; in other words, can a military victory also be a moral victory or are war and morality hopelessly incompatible?
- J. How has the greater interdependence of the modern world impacted this discussion?

VII. Exercises and Case Studies

- A. The Falklands -- Discussion of this conflict, in which the British and the Argentines fought over the Falkland Islands, provides an opportunity to break the class into two or more groups to discuss the principles of classical just war versus the internationalist "legalist" paradigm. The instructor needs to find a contemporary article or articles that support both the Argentine and British claims. Provide these articles to the students before the class and allow the students to divide themselves based upon whom they thought was in the right in the conflict. If there is a group that is undecided or believes there should not have been a fight over the Falklands, then develop a third group that can be more of an antagonizing group. Make sure you keep the discussions by the groups centered on the various Just War theories. You can include the Weinberg Doctrine, the Monroe Doctrine, Walsberg's Doctrine, Kissinger's diplomacy theories, or many other fundamental doctrines and theories surrounding Just War theory.
- B. Bosnia -- This also provides a great medium for discussing varying aspects of Just War theory. Similar to the debate about the Falklands, this topic gives you an event that is more recent and still in the front of the minds of the nations. With regard to this topic, Just War theorists and international legalists will believe we should

become involved on the behalf of human rights to prevent genocide, etc. Those who support the Weinberg doctrine and others will oppose the humanitarian intervention.

- C. Somalia -- This is a final opportunity to discuss an intervention that is very recent in the minds of these young students. This one will point out the difficulties of having a changing agenda during conflict. You should certainly be able to get students actively engaged with discussing the aspects of our intervention in Somalia, and then our later attempts to remove the Somalian Warlord. Information about these topics can be easily generated from local public sources and from the Internet to help refresh the students' memories about our intervention into Somalia and the circumstances surrounding our withdrawal.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 11B

HOURS 1.0

TITLE: CONDUCT OF WAR

I. Learning Objectives

A. Reading Objectives:

1. The student will know the notions of degree of force and destruction justified in pursuit of a legitimate military target or objective.
2. The student will comprehend that in international law and morality, it is not the case that "anything goes" in wartime. Not all available military means can be justifiably employed, even when the cause or ultimate objective itself is justifiable.
3. The student will comprehend how utilitarian thought supports the rules of war (for example, directly targeting noncombatants or mistreating prisoners of war would be in contrast to utilitarian premises).
4. The student will comprehend how "absolutism" or Kantian Ethics do not allow for such negative outcomes as "collateral damage" or incidental death.

B. Discussion Objectives:

1. The student will comprehend the moral standards to which military professionals are held, in comparison with members of the general public.
2. The student will apply the principles of Just War and the Law of War to concrete examples drawn from recent military conflicts.

3. The student will comprehend that there are limits on what a military can and should do to its country's enemies and opponents during a war.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 12
2. Just and Unjust Wars, Chapters 18 and 19
3. Naval Law, 3rd ed., Chapters 12 and 13
4. There are many articles and resources that offer arguments about "The Decision to Use the Atomic Bomb." Some of these resources include:
 - a. "The Decision to Use the Atomic Bomb," Henry L. Stimson. Harper's Magazine 194 (February 1947): 101-102, 106-107
 - b. "The Hydrogen Bombing of Cities," John C. Ford. "Theology Digest," Winter 1957
 - c. "An Introduction to the My Lai Courts Martial," by Douglas Lindler, 8 July 2001, located at:
http://www.law.umkc.edu/faculty/projects/ftrials/mylai/Myl_intro.html

B. Student Texts:

1. Ethics for Military Leaders, Chapter 12
2. Naval Law, 3rd ed., Chapters 12 and 13 (Particular emphasis on pp. 246-251)

III. Instructional Aids:

- ### A. VCR/Monitor or projection system

- B. Videos: (NOTE: See information in the "List of Instructional Aids" section of the course introduction for guidance in obtaining optional video segments.)
1. A Few Good Men (video segment)
 2. Rules of Engagement (video segment)
 3. My Lai Massacre documentary information. Video footage of the events surrounding the My Lai Massacre can be obtained from various sources. Participants and research analysts have a variety of videotapes, documentaries, and footage that has been published for commercial and public use. Any video footage or interviews with Hugh Thompson are particularly enlightening. Thompson is the Army CWO who flew his helicopter between Vietnamese civilians and the troops of Charlie Company when they fired on the My Lai villagers.
 4. Platoon (optional video segment)
 5. The Patriot (optional video segment)
 6. Black Hawk Down (optional). Both the movie and book offer some very realistic scenarios in which ethical decisions were being made during split seconds. The book and video can be found at:
<http://inquirer.philly.com/packages/somalia/>
- C. Web Resources concerning the Former Senator Bob Kerry's incident during a Vietnam Raid, can be found by searching the CNN home page for articles at:
<http://www.cnn.com/>

IV. Instructor Notes

- A. This is a seminar and group discussion-oriented lesson. It is part of the overall Conduct of War/Just War Theory concept which requires 1.5 to 3.0 hours of learning to comprehend the issues. A variety of contemporary articles and current

events can be used to facilitate this discussion. The Naval Science Lab topics "Geneva Conventions" and "Law of War" should be a prerequisite for this class.

- B. It is highly recommended that a guest lecturer be invited to present a portion of this class. There are many people available who have fought in combat, been prisoners of war, or simply sat on targeting boards for CINC's theater staff who can help drive home the realities of target prioritization and the cost of combat. The Medal of Honor Society maintains a list of Congressional Medal of Honor Winners still alive today who may be in or near your hometown and be willing to speak at various engagements. There are also a variety of Prisoner of War chapters and organizations that can assist you in finding vivid, effective, powerful guest lecturers.
- C. Be prepared for the religious aspects of killing and warfare. Religion can be used to identify morals that are in conflict with, or support the Conduct of War theories. You should be prepared to answer any questions about conscientious objection. (Remember, conscientious objectors cannot join the military!)
- D. The movie A Few Good Men should prove to be an excellent attention-getter. Two scenes may provide a good lead-in for discussions on the stresses upon military members and whether the lower-level enlisted personnel and more senior personnel should be held to the same ability to determine Just and Unjust Conduct during wartime. These scenes are:
 - 1. Towards the end of the movie when Colonel Jessup is charged for giving an illegal order for the Marines to conduct a "Code Red" and does not understand why he is being detained or charged.
 - 2. Near the very end of the movie when Private Downing and Lance Corporal Dawson are being charged with executing unjust orders and

Private Downing asks Lance Corporal Dawson why they are being charged.

- E. The movie Rules of Engagement should prove to be an excellent attention-getter and/or case study. Scenes of the decision being made to fire into a crowd of "civilians" highlight the Conduct of War. During the opening scene, you cannot easily identify the women and children with weapons; but the closing scene of the movie presents the audience with a clearer view of why the Captain and Colonel saw firing into the civilian crowd as appropriate.
- F. The movie Platoon provides a good example of members of a fighting organization getting out of control and killing people that are not truly identified as combatants. There is a scene in which an Asian lady is running and appears to have a weapon - and the soldier shoots her even though she is clearly not a threat at that time. Shortly after that scene, members of the platoon shoot other civilians and burn an entire village. And, only moments later, a few soldiers are stopped by one of the soldiers from raping small girls from the village. These scenes also lead up to other scenes in which two of the Sergeants disagree about how this situation should be handled (and officers alike) and one of the Sergeants ultimately shoots his fellow Sergeant to keep the situation from getting to higher authority.
- G. The Patriot, starring Mel Gibson, has a clip in it where a British Officer begins killing wounded colonial soldiers and kills Mel Gibson's young son. Then, Mel Gibson's character revenges this incident against the British, who quickly fall to his rage and anger. Later, the evil British Officer's superior chastises him for violating the rules of war, pointing out that his dishonorable behavior sparked Mel Gibson's character's transformation into a fearsome guerilla fighter.

- H. The My Lai Massacre is probably the most famous example of military members violating standards of conduct in war from getting caught up in the heat of battle, as well as following orders from superiors -- while others used their morals and ethics to conduct war properly. A case study outline is attached to help the instructor facilitate discussion on this issue as part of the Conduct of War class.
 - I. In preparation for the follow-on class, the instructor should prepare a lead-in to "The Moral Leader" as the last item discussed in class.
- V. Lesson Outline
- A. What are War Crimes? Discuss the two basic defenses of those who commit war crimes.
 - 1. The heat and confusion of battle; the passion and frenzy it engenders.
 - 2. The discipline system of that military or country and the obedience it requires.
 - B. With those defenses come two unalienable expectations of the soldier at war.
 - 1. Soldiers come to kill and will be subject to certain risks of the civilian population and environment.
 - 2. Soldiers do not have the right to kill innocent people in order to minimize the risk to their own lives.
 - C. In the Heat of Battle
 - 1. Relate Chapman's story of the young American sergeant killing the German officer after overtaking a German entrenchment.
 - 2. Can fighting men and women (killing machines) be turned off after their temporary moment of insanity?

3. What allowances, if any, are given to warriors who make the mistake of carrying their killing too far in battle?
 - a. Can they use the argument that they have been fighting too long?
 - b. Can they argue that sometimes surrender is a deception and that the enemy has traditionally signaled surrender to lure us into kill zones?
 - c. Can they claim temporary insanity or that they have fought to near nervous exhaustion or breakdown?
- D. Discuss the command responsibility to synthesize battle-hardened troops, in comparison with the same responsibility to spirit discipline them (keep them motivated to maintain their drive and ability to fight and kill).
 1. Soldiers are responsible if they shoot an enemy trying to surrender.
 2. Commanders are responsible if they allow murder.
 3. If an Officer or commander has "gun in hand, artillery and bombers at his call, poses a threat to the weak and unarmed, he must also take steps to shield them if necessary." -- Gen. Douglas MacArthur
 - a. Those in charge should take all possible measures to "avoid the slaughter of innocents."
 - b. A commander must not fail to "discharge his duty as commander to control the operations of the members of his command, permitting them to commit such brutal atrocities." (Discuss the General Yamashita case.)
- E. Is it okay to merely follow orders?

1. Army training requires discipline and immediate obedience to orders.
2. The claim of simply following orders from superiors can be broken down into two standard legal and moral arguments:
 - a. The claim of ignorance
 - (1) "A man of ordinary sense and understanding would, under the circumstances, know to be unlawful" when orders are unlawful or immoral.
 - (2) Ordinary moral sense and understanding should rule out acts that "outrage the general sentiments of humanity".
 - b. The claim of duress: "Duress excuses only if the harm the individual soldier inflicts is not disproportionate to the harm with which he is threatened."

F. The Nature of Necessity

1. What should happen to those responsible for the deliberate killing of innocent people in conditions of extremity or emergency?
2. Discuss this statement: "...decent men and women, hard-pressed in war [desperate to survive], must sometimes do terrible things, and then they themselves have to look for some way to reaffirm the values they have overthrown."
 - a. Example: A U.S. Navy Seal must remain undetected at all costs. What if an innocent bystander happens upon his concealed position?
 - a. The British SAS undertook a mission during the Coalition War Against Iraq

code-named "Bravo - Two - Zero". During this mission the soldiers were attempting to go deep into enemy territory to reduce the threat of SCUD. During this mission 7 of the 8 soldiers were ultimately captured by Iraqi forces - and during their trials they had to face many critical decisions to kill or be killed (while in captivity and while trying to avoid capture). These stories can be found in books such as Bravo-Two-Zero (by Andy McNab) or The One that got Away (by Chris Ryan), or in movies such as Bravo-Two-Zero. The events and circumstances such as the ones these British SAS Forces experienced, or similar events in U.S. Military history, are great topics to use in discussing the "hard-pressed things" men and women may sometimes have to do in the military.

3. Utilitarian versus "Absolutist" thought on the conduct of war.
 - a. Utilitarianism is concerned with what will happen. Does the outcome of one action, or one inaction, justify that action or inaction?
 - b. "Absolutism" focuses on the action itself. An action is either right or wrong, intrinsically and unalterably. Does absolutism allow for collateral damage, or the death of innocent civilians?
 - c. Pacifism - One may not kill another, no matter what good may come or what evil may be averted.
 - d. Some absolutist views state that violence may be undertaken, even on a large scale, in a clearly just cause, so long as certain absolute

restrictions on the character and direction of the violence are observed.

VI. Discussion Questions

- A. What Kantian considerations support the rules of war?
- B. What are the limits a military should place on what it does to its country's enemies and opponents during a state of war? Who imposes them? Why? Are such limitations reasonable, or merely concessions to "public appearance" designed to put more palatable public window dressing upon an unpleasant brutal activity?
- C. How could a midshipman trying to change an NROTC regulation, with which he/she disagrees, apply the constitutional paradigm? Are there better ways to approach disagreeable regulations?
- D. Given the requirement to obey legal orders, does the average soldier have less freedom than the average civilian? How would this diminished freedom bear on the soldier's responsibility for killing?

VII. In-Class Exercises

- A. Students can interpret a reading or case study from "The Basis of Leadership," Naval Leadership: Voices of Experience, pages 7-18, as a precursor to the class.
- B. The infamous incident of the "My Lai Massacre" (attached) should be used as the in-class example to discuss all aspects of the Conduct of War.
- C. Discuss "The Road to Basra" in correlation to the conduct of war.
 - 1. Do we look back upon "The Turkey Shoot" as ethically sound because we won the war?
 - 2. What other options might have been available to commanders on scene and in the air that

would have ensured no innocent targets were engaged?

VIII. Supplemental Learning Opportunities

- A. Review current events for new cases.
- B. Walzer claims that officers have a more stringent responsibility to uphold the laws of war than do enlisted personnel. Similarly, higher-ranking officers have even more responsibility. What arguments does Walzer use to support these claims? How do these claims affect the moral evaluation and obligation of the soldiers at My Lai?
- C. How does this level of responsibility change in today's age when technology distributes the decision-making ability and ultimate power to kill thousands down to the lowest level of soldier, sailor, airman, or marine?
- D. In Kantian terms, is it wrong for a commander to encourage his subordinates to view the enemy as the "other" side -- as less than full persons?
 - 1. What are the practical benefits of doing so?
 - 2. What, if any, are the moral benefits of doing so?
 - 3. Will it be more or less easy for warriors to act in accordance with the non-combatant immunity clause if they are so trained?
- E. Given the requirement to obey legal orders, does the average soldier have less freedom than the average civilian? How would this diminished freedom bear on a soldier's responsibility for killing?
- F. The reading "Ethical issues in the use of Military Force for Humanitarian Intervention" provides numerous angles from which to discuss the issues raised in Conduct of War.

- G. A case study surrounding the events of the Former Senator Bob Kerry's Vietnam Raid may provide useful discussion items. In numerous statements, the former senator has identified the unfortunate loss of civilian life that occurred during a raid into the province of Thanh Phong. He has been criticized and has apologized for the unfortunate loss of old men, women and children he cites as incidental casualties when he and his Navy Seal Team were fired upon at night and returned fire.

"My Lai Massacre" Case Study

I. Learning Objectives

- A. The student will comprehend the moral and ethical responsibilities of a military leader.
- B. The student will know the difference between being legally guilty and morally guilty.
- C. The student will know that any code or system of ethics is only as strong as the moral courage of those who are bound by it.
- D. The student will know that following orders does not relieve a military leader of his ethical and moral responsibilities.
- E. The student will know that the laws of morality must not be ignored by military leaders in time of war or armed conflict.
- F. The student will know that a military leader has the moral responsibility to protect innocent and/or unarmed people.
- G. The student will know the difference between lawful and unlawful orders during times of war and armed conflict.

II. Group Discussion

- A. The following questions are recommended to facilitate a class discussion of the legal, ethical and moral issues of the My Lai massacre.
 - 1. What laws of armed conflict were violated by Lieutenant Calley?
 - 2. Do you think Lieutenant Calley should not have been held legally responsible for the deaths of the civilians because of the known intelligence concerning Viet Cong activity and village support prior to the attack?

3. Presuming Lieutenant Calley was following the orders of Captain Medina to "waste them if he couldn't get rid of them," should he have been held responsible for the civilian murders?
4. The military teaches enlisted men that part of discipline is to follow orders and, in fact, part of the enlisted oath is "to follow the orders of the officers appointed over me." Does following orders relieve subordinates of the consequences of their actions?
5. None of the enlisted men involved were brought up on charges because they were presumably following the rules of engagement. How do you reconcile the fact that these men were exempt from prosecution while Lieutenant Calley was not? Remember that Lieutenant Calley's superiors had routinely authorized search and destroy missions, free fire zones and kill ratios. They also used body counts as a measure of a mission's success.
6. If an officer is responsible for the conduct of his men, should Captain Medina and his superiors have been found guilty as well?
7. What is the difference between legal guilt and moral guilt? Can you be legally not guilty but morally guilty at the same time? How?
8. Do you believe that "in war, law is silent?" Why? Does the cruelty of war force one to operate under a different set of ethical rules?
9. Do you think atrocities like the My Lai Massacre are inevitable in war?

B. Summary

**NAVAL RESERVE OFFICER TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 11C

HOURS: 1.0

TITLE: LAW OF ARMED CONFLICT AND CODE OF CONDUCT

I. Learning Objectives

A. Reading Objectives:

1. The student will know the definition of armed conflict.
2. The student will know the purpose of the Law of Armed Conflict.

B. Discussion Objectives:

1. The student will comprehend the substance of international agreements related to armed conflict.
2. The student will know the policy of the U.S. government regarding the Law of Armed Conflict, including:
 - (a) The responsibilities of superior officers with regard to violations of the Law of Armed Conflict.
 - (b) The measures taken to redress acts in violation of the Law of Armed Conflict.
3. The student will know the ideas and principles of the International Law of Armed Conflict and its application to air and naval warfare and weapon systems. They will also know how LOAC applies to rules of engagement, conduct of hostilities, rights of individuals, and obligations of engaged parties.

4. The student will comprehend the major principles of and ideas behind the Code of Conduct and be able to apply them to a leader's role in a prisoner-of-war situation.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, pp. 481-490 (Geneva Conventions Summary)
2. Just and Unjust Wars, Chapter 3
3. Naval Law, 3rd ed., emphasis on Chapter 12, "The Law of Armed Conflict," and Chapter 13, "War Crimes"
4. NAVEDTRA 122-A, "The Law of Armed Conflict" booklet by the Department of the Navy
5. NWP 9, "The Commander's Handbook on the Law of Naval Operations"
6. OPNAVINST 1000.24 (Series), "Code of Conduct Training"
7. OPNAVINST 3300.52 (Series), "Law of Armed Conflict (Law of War) Program to Ensure Compliance by the U.S. Navy and Naval Reserve"
8. "Code of Conduct" (attached)
9. UCMJ (Articles 99 - "Misbehavior Before the Enemy", 100 - "Subordinate Compelling Surrender", 104 - "Aiding the Enemy", 105 - "Misconduct as a Prisoner", 106 - "Spies", and 106A - "Espionage")
10. U.S. Navy Regulations (DON Regulation 1122)

B. Student Texts:

1. Ethics for Military Leaders, pp. 481-490
(Geneva Conventions Summary)
2. Naval Law, 3rd ed., emphasis on Chapter 12,
"The Law of Armed Conflict," and Chapter 13,
"War Crimes." Instructor may want to choose
a particular reading from this book to use
as emphasis on the Conduct of War.
3. Instructor should provide handouts from the
instructor guide or other resources for this
topic of discussion. Readings for Just War
Theory and Conduct of War lessons may
suffice for this discussion.

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead
projector or PowerPoint slides/projection system
- C. VCR/Monitor or projection system
- D. Videos:
 1. Saving Private Ryan (video segment)
 2. Rules of Engagement (optional video segment)
 3. Black Hawk Down (optional video and/or book
segments)

IV. Additional Resources

- A. The Congressional Medal of Honor Society can be
contacted for stories and material and possibly
for help coordinating guest speakers. They can
be contacted at <http://www.cmohs.org/> or in
writing at the national headquarters at:

National Headquarters
40 Patriots Place Road
Mt. Pleasant, SC 29464

- B. The president of the Medal of Honor Society is Major General James E. Livingston. He can also be contacted for information about living Medal of Honor recipients in your area by writing 909 Poydras Street, Suite 1700, New Orleans, LA 70131, or by calling his secretary at (504) 584-5022.

V. Instructor Notes

- A. This lesson will be best reinforced with a guest speaker with combat experience. There are quite a few organizations available that provide guest lecturers.
- B. Instructors should ensure a good lead-in to the follow-up class.

VI. Lesson Outline

- A. This lesson should begin with selected video segments from the movies Saving Private Ryan, Rules of Engagement, and Black Hawk Down and/or readings from the book Black Hawk Down. Certain portions of these movies can be played to set the stage for this discussion.
 - 1. The scene from Saving Private Ryan where Tom Hanks gets involved with the Soldiers while they are contemplating executing the German Soldier and making him dig his own grave is an excellent discussion item for this lesson. Tom Hanks tries to divert their attention from the frustrations they are seeing with each other and their mission. He relays his actual occupation before the war, and then shows the soldiers why he is executing orders that seem at times unworthy of following.
 - 2. Also recommended is the segment at the beginning of Rules of Engagement in which the Commanding Officer of the Marine Expeditionary Unit decides to fire into a crowd of civilians and is questioned by his subordinate. The instructor might also show

(preferably at the end of the class) the replay of the scene at the end of the movie when the truth is revealed that armed terrorists are shooting from behind civilians and that women and children are holding weapons and firing at the Marines.

- B. Discuss definitions and interpretations of the term "armed conflict." Particularly, identify the differences between armed struggle, war, and armed conflict.
- C. Discuss the purpose of the "Law of Armed Conflict."
- D. Discuss the sources and substance of the "Law of Armed Conflict."
 - 1. Customary law.
 - 2. Treaties related to the use of force in general.
 - a. Helsinki Accord of 1975
 - b. U.N. Charter
 - 3. Treaties related to the actual conduct of armed conflict.
 - a. Hague Conventions of 1907
 - b. The Geneva Conventions of 1929 and 1949
 - c. The Genocide Convention of 1948
- E. Discuss U.S. policy regarding adherence to the Law of Armed Conflict, enforcement of its requirements, and methods used to induce compliance.
- F. Discuss application of the 11 major principles of the Law of Armed Conflict regarding air warfare, naval warfare, and weapons systems, with emphasis on the following:

1. Rules of engagement (ROE)
 2. Conduct of hostilities
 3. Rights of individuals
 4. Obligations of engaged parties
- G. Discuss the Code of Conduct of members of U.S. Armed Forces, including:
1. History and purpose
 2. Explanation of the articles of the Code of Conduct
- H. The Law of War, also called the Law of Armed Conflict (LOAC), is a subset of international law that governs the initiation and conduct of hostilities between nations. The Law of War constitutes a delicate balancing of national security interests (expressed in legal terms as *military necessity*) against the desire of the United States and most members of the international community to limit to the extent practically possible the effects of war.
1. The primary purpose of the Law of War/Law of Armed Conflict is to make war more humane by regulating what weapons may be used, who and what are legitimate military targets, and the impact of war on non-combatants.
 2. Many of the rules have developed over time and derive from custom -- how countries have conducted themselves in wartime and battle throughout history.
 3. The best-known Laws of War are the Four Geneva Conventions -- covering the treatment of wounded, sick and shipwrecked military personnel, prisoners of war, and civilians. Other sources are Hague Conventions and the recent Chemical Weapons Convention.

4. A final source for guiding the conduct of American military personnel are the rules that derive from U.S. law, such as the Uniform Code of Military Justice (UCMJ) and the Code of Conduct.
5. LOAC differs from Rules of Engagement in that ROE are specific instructions telling us how to operate during a specific scenario.
6. The rules that make up LOAC come from three basic principles:
 - a. First is *military necessity*. This principle requires that combatants take only actions necessary to achieve a legitimate military objective.
 - b. The second principle requires *avoiding the infliction of unnecessary suffering*. This means that targets (places, equipment or people) are attacked only in support of legitimate military aims, not simply to wreak havoc.
 - c. The third principle, *proportionality*, comes into play where there is a conflict between the first two principles (i.e., no greater force is used than is needed to obtain the desired military objective). Collateral damage is consciously kept to the minimum possible.
7. Some provisions of the LOAC:
 - a. Unlawful Targets
 - (1) Protected persons.
 - (2) Wounded enemy parachutists.
 - (3) Disabled ships.

- (4) Medical troops, vehicles and facilities.
- (5) Religious, artistic, scientific, charitable, historic buildings.
- (6) Civilian shelters and hospitals.
- (7) Embassies.
- (8) White flags.
- b. Misuse of Protected Status = Loss of status
 - (1) Ordinarily, enemy should be warned before targeting.
 - (2) Self-defense or military necessity.
- c. Weapons
 - (1) All U.S. weapons comply with Laws of War.
 - (2) Expressly forbidden weapons.
 - (a) Expanding rounds (dum-dum).
 - (b) Barbed weapons.
 - (c) Glass projectiles.
 - (d) Poisons, both chemical & biological.
 - (e) Weapons which inflame/aggravate wounds inflicted by them.
- d. Chemical Weapons
 - (1) No lethal or incapacitating agents.

- (2) Riot control agents authorized.
 - (3) U.S. reserves right to use chemicals in defense, if so attacked.
- e. Biological Weapons
 - (1) No lethal or incapacitating agents.
 - (2) U.S. will never use them.
 - (3) U.S. will use herbicides if domestic or defensive, but will not be first to employ.
- f. Tactics -- Acceptable within the LOAC:
 - (1) Stratagems and ruses.
 - (2) Ambushes.
 - (3) False/deceptive communication.
 - (4) False/deceptive movement.
 - (5) Use of enemy passwords.
 - (6) Disinformation.
- g. Unlawful "treachery and perfidy":
 - (1) Misuse of a flag of truce.
 - (2) Feigning surrender or injury.
 - (3) Outlawing surrender.
 - (4) Assassination.
 - (5) Wanted "dead or alive" bounties.
 - (6) Attacking enemy soldiers who can't resist or are trying to surrender.

- (7) Killing POWs.
- (8) Misuse of protected places.
- (9) Targeting flag of truce or undefended facilities.
- (10) Mutilating, mistreating, "booby-trapping" dead bodies.
- (11) Use of human shields.

VIII. Supplemental Learning Opportunities: The Joint Targeting Exercise (attached) can provide a tremendous learning opportunity to emphasize the key learning points of this class, as well as Just War and Conduct of War.

Joint Targeting Exercise Instructions

Designed by Capt. T. W. Thomasson, USMC

General. This exercise is designed to: (1) Reinforce the lessons learned during the Just War, Conduct of War and Law of Armed Conflict lessons, focusing on the Rules of Engagement and the International Laws that govern them, with special emphasis on the ethical reasons to choose appropriate targets and munitions during a Joint Conflict; and (2) introduce or reinforce joint processes and procedures by introducing a Joint Targeting Board Concept, allowing students to see how the services would interact during a joint operation.

Background. Students might form a Joint Targeting Board like those established during a Joint Operation or Joint Task Force. This board might include the Commander of that Joint Force (in this exercise the JTF Commander or the CINC) and his Component Commanders designated as "Cell One" (Naval Component, Marine Component, Air Force Component, Army Component and Special Operations Component).

Next, students would form other targeting cells, including:

Cell Two - The Joint Forces Air Component Command (JFACC) Targeting Cell (preferably Midshipmen that have selected to be aviators)

Cell Three - The Joint Forces Land Component Command (JFLCC) Targeting Cell (preferably Marine Option midshipmen intending to be combat arms officers or Navy Special Warfare selectees)

Cell Four - The Naval Component Command (NCC) Targeting Cell (preferably Surface and Nuclear Warfare midshipmen)

Cell Five - The Joint Special Operations Command (JSOC) Targeting Cell (preferably Navy or Marine midshipmen that desire to be special warfare or reconnaissance)

Support Cell - This cell can include Nurse or JAG (Legal) midshipmen or midshipmen that are inclined to go into these areas or other support areas of the Naval Service

Preparation. Prepare a scenario that will drive targeting in all four areas: Air, Land, Naval, and Special Operations. Develop maps and draw or find photos that will support the targeting effort. Intelligence (simulated) and information the instructor uses should drive students to choose realistic targets that would be chosen during a real conflict. Later, the instructor will need to be able to develop (generate) more information about the targets the students have chosen that will force the students to consider the ethical and legal implications of hitting the target, and the munitions or platform they use to neutralize the target.

Execution.

- Physically separate the students into their respective cells.
- Choose a creative and capable student to be the JTF Commander or CINC so they will help drive the conversation and keep it focused on the ethical/legal aspects of the exercise.
- Give the students the situation brief.
- Identify the friendly assets each cell has at its disposal.
- Allow the CINC/JTF Commander to choose a generic scheme of maneuver and brief it to the class. (This can be pre-arranged between student and instructor, although not necessary).
- Allow students 15-30 minutes to choose the top five targets (generic or specific) that they believe must be eliminated or neutralized for their component to successfully support the CINC's or JTF Commander's scheme of maneuver; have them provide the CINC/JTF Commander and yourself a copy of these before leaving class.
- The CINC or JTF Commander (in coordination with the Instructor) should then determine the top five target priorities before the next class.
- The instructor should develop additional (scripted) intelligence or information that makes most of the targets

ethical dilemmas. Examples: (1) If the JFLCC group chooses a military headquarters, the instructor should show them a photo of a mosque that houses the intended target; (2) if the Naval Component wants to destroy a Submarine that is a threat, the instructor should script that it is located in a civilian port or contains nuclear material; and (3) if the JSOC chooses to target a military leader, the instructors should script that the UN has specifically mandated that any assassination would be unethical or illegal.

Conclusion. The Instructor should assist the CINC/JTF Commander in facilitating the discussions regarding how the different organizations think the targets will best be eliminated or neutralized. The instructor and CINC/JTF Commander should focus on areas that are impacted by the ethical conduct of war, legal rules in the Law of Armed Conflict, etc. Discussion about what platform to use to hit the target (i.e., B-2 high altitude bomber, Joint Strike Fighter, Cruise Missile, Special Operations Forces, Naval Gunfire, Laser Guided Munitions, Dumb Bombs, etc.)

Points of Interest for the Instructor. There are numerous real-world scenarios that the instructor can use for this exercise. The current situation in Afghanistan presents a tremendous opportunity for tough decisions regarding what targets to hit, how to hit them, what to do to minimize collateral damage, etc. This exercise, if properly prepared and conducted, can provide a pinnacle for the Conduct of War, Just War Theory, and Law of Armed Conflict lessons. For additional information, consult the Course Coordinator and/or the website.

CODE OF CONDUCT

Article 1

I am an American, fighting in the forces which guard my country and our way of life. I am prepared to give my life in their defense.

Article 2

I will never surrender of my own free will. If in command, I will never surrender the members of my command while they still have the means to resist.

Article 3

If I am captured, I will continue to resist by all means available. I will make every effort to escape and aid others to escape. I will accept neither parole nor special favors from the enemy.

Article 4

If I become a prisoner of war, I will keep faith with my fellow prisoners. I will give no information or take part in an action which might be harmful to my comrades. If I am senior, I will take command. If not, I will obey the lawful orders of those appointed over me and will back them up in every way.

Article 5

When questioned, should I become a prisoner of war, I am required to give name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause.

Article 6

I will never forget that I am an American, fighting for freedom, responsible for my actions, and dedicated to the principles which made my country free. I will trust in my God and the United States of America.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 12

HOURS: 1.5

TITLE: JUNIOR OFFICER RELATIONSHIPS

I. Learning Objectives

- A. The student will know the importance of followership and the role it plays in leadership.
- B. The student will know the qualities, behaviors, and principles of effective followership.
- C. The student will know the relationship of knowing oneself, one's job, and one's people to being an effective leader.
- D. The student will know how an effective leader encourages correct behavior, suppresses fear, and attends to subordinates' needs.
- E. The student will know why cohesion and discipline are essential in any command, and how a leader can instill these essential qualities.
- F. The student will know the importance of enhancing technical, tactical, and professional knowledge.
- G. The student will know why naval officers should support the policies and actions of seniors and peers.
- H. The student will know that a naval leader should promptly comply with lawful orders, directions, and decisions of seniors.
- I. The student will know effective use of the chain of command.
- J. The student will know the importance of complete honesty in communicating with seniors, peers, and subordinates.

- K. The student will know the importance of keeping seniors and subordinates informed
- L. The student will understand the influence, in officer/leadership situations, of the following on a leader's ability to achieve an organization's goals:
 - 1. Use of authority
 - 2. Degree of delegation and decentralization
 - 3. Officer-enlisted professional relationships
 - 4. Chain of command
 - 5. Morale and esprit de corps
- M. The student will know types and importance of communication within the military
 - 1. The student will comprehend the communication process.
 - 2. The student will comprehend the major causes of communication breakdowns.
 - 3. The student will demonstrate characteristics of effective oral communication.
- N. The student will comprehend the importance of feedback to mission effectiveness.

II. References and Texts

A. Instructor References:

- 1. Naval Leadership, pp. 44-48, 112-142, and 393-395
- 2. JSCOPE Homepage: <http://www.usafa.af.mil/jscope>
- 3. The Marine Officer's Guide, Chapters 11 and 16

4. The Naval Officer's Guide, Chapters 6 and 11

B. Student Texts:

1. Naval Leadership, pp. 44-48, 112-142, and 393-395
2. The Marine Officer's Guide, Chapters 11 and 16
3. The Naval Officer's Guide, Chapters 6 and 11

III. Instructional Aids

- A. Course syllabus
- B. Chalkboard
- C. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options
 1. Lecture
 2. Discussion
- B. Procedural and student activity options: Discuss the idea of followership, how effective followers make effective leaders possible, and how followership is a prerequisite to leadership.

V. Lesson Outline

- A. Have the class define followership:
 1. The ability to place the health and well being of an organization ahead of personal ambition.
 2. The ability to have the same allegiance and loyalty up the chain of command one would expect to flow down the chain.

3. The process in which subordinates recognize their responsibility to comply with orders of leaders and take appropriate action consistent with the situation; to carry out those orders to the best of their ability.
 4. The ability to know where and when to articulate one's views on an issue and then have the loyalty and devotion to carry out the final decision on that issue.
 5. A strict adherence to a personal code of conduct which upholds the standards and values of the organization.
- B. Discuss why followership is important: Followers are potential leaders. Followers and leaders exhibit many of the same traits. Point out that most leaders are also followers to someone. Refer to the chain of command diagram where a division officer is both a leader and a follower.
- C. Points to consider and discuss:
1. Being an effective follower is not automatic. It requires cultivation, just as does being a leader.
 2. Professionalism in followership is as important in the military service as professionalism in leadership. Without loyal, dedicated followers, there can be no effective leaders.
 3. Inherent to effective followership is a high degree of self-discipline.
 4. Followers are potential leaders -- the most effective follower is that individual whose goal is being a future leader.
 5. Followership is not a person, but a role. Leaders are also followers.
 6. Effective followers share a number of essential qualities:

- a. Self-management
 - b. Commitment to mission and unit above personal goals and ambition
 - c. Competence and focus, including self-improvement, training, and/or education
 - d. Courage
 - e. Compliance with orders
 - f. Self-knowledge (strengths and weaknesses)
- 7. Go beyond the minimum acceptable performance standard.
 - 8. Develop a firm belief in your role within the unit.
- D. Followers must be held accountable for accomplishment of assigned tasks.
- 1. Must make sound recommendations and comply with orders after the decision is made.
 - 2. Must be allowed to be self-governed with the professional freedom to accomplish the mission.
 - 3. Must be a team player and keep the chain of command informed.
- E. Explain the importance of knowing human nature, especially during times of stress. An officer will be constantly attempting to motivate and understand seniors, peers, and subordinates. Success requires a thorough knowledge of human nature.
- F. Discuss the emotions that a junior officer probably experiences on a first deployment: stress, fear, homesickness, loneliness, fatigue, demotivation. Explain how leaders must endure

stress while simultaneously being concerned about the feelings, morale, and welfare of their subordinates. Leaders must have an influence over the emotions of followers.

- G. Discuss ways to combat fear, low morale, and demotivation in the troops. Mention setting a positive and cheerful example; talking with subordinates; counseling; and instilling a sense of confidence, self-worth, and self-respect. A subordinate must believe that the leader sincerely cares. Show compassion, empathy, and understanding.
- H. Briefly discuss human needs starting with basic physical needs and expanding to the higher needs. Mention how the satisfaction of subordinates' higher needs will produce a more efficient, combat-ready unit.
- I. Review knowing one's job and being tactically and technically proficient. This concept was covered as one of the basic leadership principles and a subset of the core value of commitment.
- J. Discuss the impact on the unit when effective followership fails:
 - 1. Potential loss of life
 - 2. Loss of unit effectiveness in combat
 - 3. Failure to complete the unit's mission.
- K. Define loyalty and its relationship to leadership: Firm allegiance to country, mission, unit, comrade and self.
- L. Loyalty cannot be unconditional. It must be derived from and governed by a set of principles, values and law.
- M. Discuss the effects of loyalty without governing values or laws. Tailhook '91 may be used as an example of misplaced loyalty among peers during

the criminal investigation. Refer to Ethics for Military Leaders, Chapter 6, Reading 3.

- N. Loyalty must exist up and down the chain of command.
 - O. Discuss ways a junior officer can earn loyalty as a leader and demonstrate loyalty as a follower.
 - P. Being a loyal follower does not mean being a "Yes Man." It means providing sound advice to seniors and accepting the decision and complying with orders once a decision has been made.
 - Q. Discussion point: One of the biggest mistakes a junior officer makes is not visibly supporting the orders of seniors to subordinates -- especially those with which the young officer disagrees. Use the article "Damn Exec" on pp. 129-132, Naval leadership: Voices of Experience, to illustrate this concept.
 - R. Discussion point: When is it necessary to bypass the chain of command? Discuss the effect Captain's Call, suggestion boxes, and CO/XO open door policies have on proper use of the chain of command.
 - S. Stress the importance of a chain of command that is approachable and encourages honest exchange of ideas and feedback.
- VI. Supplemental Readings: Recommend selected readings from Ethics for the Junior Officer case studies on loyalty to enhance class discussion.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 13

HOURS: 1.5

**TITLE: JUNIOR OFFICER RESPONSIBILITY, ACCOUNTABILITY, AND
AUTHORITY**

I. Learning Objectives

- A. The student will comprehend the interrelationship of authority, responsibility, and accountability within a task-oriented organization.
- B. The student will comprehend a leader's moral and ethical obligations in accepting responsibility.
- C. The student will demonstrate, in officer leadership situations, an understanding of the influence of the following on a leader's ability to achieve the organization's goals and mission:
 - 1. Use of authority
 - 2. Degree of delegation of decentralization

II. References and Texts

A. Instructor References:

- 1. Naval Leadership, pp. 92-104 and 116-171
- 2. The Marine Officer's Guide, Chapters 16 and 17
- 3. The Naval Officer's Guide, Chapters 7 and 18
- 4. "Death of a Marine" Case Study (attached)

B. Student Texts:

- 1. Naval Leadership, pp. 92-104 and 116-171
- 2. Marine Officer's Guide, Chapters 16 and 17

3. The Naval Officer's Guide, Chapters 7 and 18

III. Instructional Aids

- A. Course syllabus
- B. Chalkboard
- C. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Lecture
- B. Classroom Discussion
- C. Case Study

V. Lesson Outline

- A. Discuss the definition of accountability: Being answerable for one's actions or the actions of others.
- B. Discuss the definition of responsibility: Legally and morally accountable; capable of making moral or ethical decisions or actions on one's own, thereby being answerable for those decisions or actions.
- C. Responsibility and accountability encompass the following concepts:
 - 1. Don't take actions or make decisions that cannot be explained (answered for).
 - 2. With acceptance of responsibility, one incurs a moral obligation to fulfill all duties and assignments to the best of one's abilities.
 - 3. Incur a moral obligation to keep the chain of command aware of all information, even though it may be detrimental to one's career.
 - 4. While legal responsibilities are imposed by law or contract, moral responsibilities are recog-

nized and enforced by an individual's conviction to a personal moral or ethical code (i.e., the person's conscience).

5. Even though the military leader has authority granted by law, authority is also derived from the leader's personal ethics, professional knowledge, and humility.
 6. Understand according to Article 0802, U.S. Navy Regulations, 1990: "The responsibility of the commanding officer for his or her command is absolute, except when, and to the extent to which, he or she has been relieved there-from by competent authority..." This includes moral responsibility.
 7. Technical and professional competence are moral responsibilities of the military commander.
- D. Leaders should seek out and accept responsibility, and strive to develop personal responsibility and accountability in themselves and their subordinates.

VI. Discussion Questions:

- A. Why must leaders be held accountable for their decisions and actions? What does the phrase "regardless of their original intent" mean?
- B. Why is it important for officers to complete assigned tasks on time, regardless of possible personal distaste or inconvenience?
- C. Can responsibility be delegated? Authority?

VII. In-Class Exercise/Case Study: "Death of a Marine" (attached)

"Death of a Marine" Case Study

1. The following details are derived from various stories surrounding the incident of a Marine who died in the Desert of Twenty-Nine Palms, California. There are a variety of resources that can be distributed to your students or provide more information on this occurrence. One of those is an article published by The Navy Times in December, 1988, entitled, "The Death of a Marine."
 - a. "Three Marines will be court-martialed, and two have been relieved of their commands, in connection with the disappearance of a 19-year-old rifleman who was left behind in the desert and has never been found." -- A Marine Spokesman
 - b. Having completed basic training, LCpl Rother reported to Battalion Landing Team 3/2 (BLT) and was assigned to the First Squad, second Platoon, Company E.
 - c. The BLT was preparing for training in the desert, and Company E received a class on the "introduction to desert survival." This live-fire environment is part of mandatory training and evaluation in which all deploying infantry units participate annually.
 - d. Kilo Company, a standard rifle company of Battalion 2/3 consisted of a Headquarters, 3 Rifle Platoons, 3 Squads Per Platoon, 3 Fire Teams Per Squad, and 1 Weapons Platoon. Key personnel in the unit included, but were not limited to:

Commanding Officer -- Capt. Henderson
2nd Platoon Commander -- 1Lt. Johnson
2nd Platoon Sergeant -- Sgt. Clyde
1st Squad Leader -- Sgt. Turnell
Fire Team Member -- LCpl. Rother
 - e. Captain Edwards, the Battalion Logistics Officer, was tasked with picking up check point route guides with the last vehicle in the logistics

train. Earlier that day he asked 1st Lieutenant Lawson to provide him with a by-name roster of those Marines he would be picking up at the check points.

- f. 1stLt Lawson had filled only eight of the 14 route guide billets as the required departure time elapsed. Darkness was approaching and Major Holm, the Battalion XO, was concerned at the possible delay to the operation. At this point, Major Holm confronted 1stLt Lawson saying, "It's almost dark; what are you still doing here?"
- g. At checkpoint #1, LCpl Rother and LCpl Key dismounted the vehicle. 1Lt Lawson directed LCpl Key to board the vehicle, explaining that each post would have only one Marine. Another passenger, LCpl Adam, reminded the lieutenant that the XO had specifically directed the Marines to be posted in pairs. The lieutenant replied, "*I'm the Lieutenant and you're the LCpl.*" The LCpl ceased protest, and LCpl Key boarded.
- h. Many drivers were operating at high speeds; these high speeds created a lot of dust that restricted visibility. One road guard said that just before he was picked up, he could see Rother's chemlite, but the Plt Sgt did not see it. LCpl Key boarded the recovery vehicle alone and did not indicate to anyone that the road guard with whom he was to be paired was not among them. The assumption was made that he had boarded another vehicle.
- i. LCpl Rother's absence from camp was questioned by his Platoon Commander 1stLt Johnson, but the Platoon Sgt Clyde, had said that LCpl Rother was still on route guide detail. He and Sgt Turnell, Rother's squad leader, knew Rother had not returned with his four-man fire team and believed he was assigned to another detail, which accounted for his absence.
- j. The following morning, Sgt Clyde, the Platoon Sgt, submitted an "all present" platoon report. That evening, the acting squad leader mentioned

to the Platoon Sgt that LCpl Rother had not been seen all day. The Company Gunnery Sgt was informed . . . notified the chain-of-command. . . a search was underway. But it would prove too late!

2. Discuss the following questions:
 - a. Who is ultimately responsible for the young Marine?
 - b. Do the Battalion CO, Battalion Logistics Officer, and Company Commander maintain the same level of authority and accountability?
 - c. How much responsibility should the squad leader in this situation take?
 - d. Should anyone be found guilty of gross negligence, failure to perform his duties, or incompetence? How about negligent manslaughter? Should someone be court-martialed and sent to life imprisonment?

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 14

HOURS: 1.5

TITLE: JUNIOR OFFICER/COMPANY GRADE LEADERSHIP

I. Learning Objectives

- A. The student will comprehend the relationship between the general ethical and philosophical theories established in the first portion of the course and the ultimate responsibilities of a leader in the United States Naval Service.
- B. The student will know the importance of effective written and oral communication as it pertains to his/her role as a junior officer.
- C. The student will know various qualities of leadership.
- D. The student will know and analyze the qualities and traits that he/she possesses and areas which can be improved.
- E. The student will know how leadership characteristics are exhibited by successful leaders and why they are important.
- F. The student will know the meaning of leadership.
- G. The student will comprehend the difference between command, leadership and management.
- H. The (Marine) student will comprehend the Marine Corps philosophy of command and the foundations for Marine Corps leadership.

II. Reference Materials

- A. Instructor References:

1. OPNAVINST 3120.32 (Series), "Standard Organization and Regulations of the U.S. Navy" (SORN), Article 351 - Division Officer Responsibilities
 2. Naval Institute Guide to Naval Writing: A Practical Manual
 3. JSCOPE Homepage: <http://www.usafa.af.mil/jscope>
 4. Naval Leadership, pp. 19-44, 83-84, 94-114 and 109-113
 5. MCDP 1 (Warfighting), pp. 15-16 and 78-82
 6. FMFM 1-0 (Leading Marines), pp. 1-52
- B. Student Text: Naval Leadership, pp. 19-44, 83-84, 94-114 and 109-113

III. Instructional Aids

- A. Course syllabus
- B. Chalkboard
- C. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- D. Guest Speaker

IV. Suggested Methods and Procedures

- A. Method options
 1. Lecture
 2. Discussion
- B. Procedural and student activities: Students should understand that this and the following lessons should help them develop fundamentals of solid ethical decision-making and leadership application. The types of discussion and case studies still to follow do not always have a "right" answer. Instead, the final lessons

discuss leadership skills and how to apply them to ethical situations that prospective junior officers will encounter.

- C. Use of personal experiences of instructor and other staff.
- D. MCDP 1, Warfighting, and FMFM 1-0, Leading Marines, can provide additional material for the instructors to help get the discussion items across to the students. Most units already maintain copies of these documents. Instructors may wish to obtain extra copies for Marine students from the Marine Corps Institute (MCI) Branch at Marine Barracks Washington, D.C., at 1-800-MCI-USMC or on the Web at www.mci.usmc.mil.

V. Lesson Outline

- A. Ask the midshipmen to make a list of the qualities and characteristics of a strong leader. Save the list for the end of the discussion.
- B. Strong leaders possess national and professional values. Remember national values are derived from the Constitution. Professional values and leadership principles are derived from core values.
- C. Remind the students about ADM Stockdale's model of leadership and how he incorporated the values and principles in his model through a leader's role as a moralist, teacher, jurist, steward and philosopher.
- D. A leader/moralist practices and promotes the following up and down the chain-of-command:
 - 1. Truth and fairness;
 - 2. Respect;
 - 3. Keeping commitments;
 - 4. A disciplined lifestyle; and

5. A priority of loyalties (as a member of the military, the mission, the command, his/her comrade and to one's self).
- E. A leader/jurist makes decisions, rules, and policies based on strength of character and as a result:
1. Answers for the actions of himself and his followers;
 2. Conducts self-assessments of personal actions and learns from his experiences and his mistakes;
 3. Adapts willingly to the situation at hand;
 4. Delineates clear goals and objectives to followers;
 5. Motivates followers to excel beyond the minimum standard of acceptable performance;
 6. Allows followers to make mistakes and ensures they learn from their mistakes;
 7. Makes the best decision possible based on available information; and
 8. Acts upon his convictions.
- F. A leader/teacher sets the moral and social climate of the unit and:
1. Provides the vision for the unit;
 2. Creates self-confidence in followers by promoting personal responsibility and accountability;
 3. Creates a unit climate which promotes cohesion and "esprit de corps;" and
 4. Enhances unit effectiveness through direction, motivation and education.

- G. A leader/steward makes a total commitment to his followers and:
1. Views himself as servant to the nation, unit, comrade, follower and himself;
 2. Considers follower's lives as a sacred trust for whose care he is answerable;
 3. Protects follower's fundamental dignity through respect;
 4. Willingly endures hardships with his followers;
 5. Ensures professional growth in his followers;
 6. Knows the strengths and weaknesses of his followers; and
 7. Unites followers through a shared vision and common values.
- H. A leader/philosopher perseveres when "virtue is not rewarded and evil is not punished" and:
1. Takes action through a sense of obligation rather than personal ambition or extrinsic rewards;
 2. Chooses the right course of action rather than the easy way out; and
 3. Deals with uncertainty and adapts to the situation.
- I. Classroom discussion:
1. Have students review their lists of leadership qualities and compare their qualities to VADM Stockdale's model.
 2. Select two or three famous leaders and compare them as leaders to ADM Stockdale's model. Discuss the similarities and differences.

- J. There is no magical formula for effective leadership. True leadership transcends rank, self-identity, recognition, or privilege. Marine Corps leadership is about people who are grounded in our core values, willing to assume responsibility for their Marines, and devoted to the selfless performance of duty.
- K. Although the terms seem similar to the untrained observer, a leader must be able to differentiate between management, leadership, and command.
 - 1. Management: The process of planning, organizing, coordinating, directing, and controlling resources such as people, material, time, and money to accomplish the organization's mission.
 - 2. Leadership:
 - a. The sum of those qualities of intellect, human understanding, and moral character that enable a person to inspire and to control a group of people successfully. -- General John A. Lejeune
 - b. The act of influencing others in such a manner as to accomplish the mission.
 - 3. Command: The authority a person in the military lawfully exercises over subordinates by virtue of his rank and assignment or position.
- L. Relationship between terms
 - 1. Management: Deals with resources; it is impersonal and normally has only an indirect influence on subordinates. Management uses an analytical approach to mission accomplishment.
 - 2. Leadership: A personal relationship. It is an art dependent on personal character and

relies on inspiration and personal influence to accomplish the mission.

3. Command: A legal status based on rank and position. It includes broad responsibilities for the performance of all personnel and assets.

M. Authority, accountability, responsibility. An understanding of the relationship between authority, accountability, and responsibility is essential to comprehending military leadership.

1. Authority: The legitimate power of a leader to direct those subordinate to him to take action within the scope of his position.
2. Accountability: The state in which the leader answers for his actions or those of his subordinates and accepts the consequences of those actions.
3. Responsibility: The obligation to act or to do a duty.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

LESSON GUIDE: 14 Supplement

OPTIONAL HOURS: .5

TITLE: USMC LEADERSHIP TRAITS & PRINCIPLES

I. Learning Objectives

- A. The student will know the fourteen leadership traits and their definitions.
- B. The student will know the eleven leadership principles and the concepts they encompass.
- C. The student will comprehend the relationship and significance of the traits and principles as they pertain to small unit leader effectiveness.
- E. The student will comprehend the Marine Corps Leadership Philosophy and how it impacts warfare.

II. References and Texts

- A. Instructor References:
 - 1. The Marine Officer's Guide, Chapter 16
 - 2. FMFM 1-0, Leading Marines, pp. 35-52 and 103-105
- B. Student Text: The Marine Officer's Guide, pp. 307-313

III. Lesson Outline

- A. Explain the differences between traits and principles.
- B. Leadership traits. Ask the students to provide the fourteen leadership traits. List them on the chalkboard or overhead as they respond.
 - 1. Present the definition of each trait. The following definitions are taken from The

Basic School's Philosophy of Leadership
class outline (B0606) dated December 1994:

a. Bearing

- (1) Definition: Creating a favorable impression in carriage, appearance, and personal conduct at all times.
- (2) Significance: The ability to look, act, and speak like a leader whether or not these manifestations indicate one's true feelings. Some signs of these traits are clear and plain speech, an erect gait, and impeccable personal appearance.

b. Courage

- (1) Definition: A mental quality that recognizes fear of danger or criticism, but enables one to proceed in the face of it with calmness and firmness.
- (2) Significance: Knowing and standing for what is right, even in the face of popular disfavor, is often the leader's lot.

c. Decisiveness

- (1) Definition: Ability to make decisions promptly and to announce them in a clear, forceful manner.
- (2) Significance: The quality of character which guides a person to accumulate all available facts in a circumstance, weigh the facts, choose and announce an alternative which seems best. It is often better that a decision be made promptly than a potentially better

one be made at the expense of more time.

d. Dependability

- (1) Definition: The certainty of proper performance of duty.
- (2) Significance: The quality, which permits a senior to assign a task to a junior with the understanding that it will be accomplished with minimum supervision. This understanding includes the assumption that the initiative will be taken on small matters not covered by instructions.

e. Endurance

- (1) Definition: The mental and physical stamina measured by the ability to withstand pain, fatigue, stress, and hardship.
- (2) Significance: The quality of withstanding pain during a conditioning hike in order to improve stamina is crucial in the development of leadership. Leaders are responsible for leading their units in physical endeavors and for motivating them as well.

f. Enthusiasm

- (1) Definition: The display of sincere interest and exuberance in the performance of duty.
- (2) Significance: Displaying interest in a task, and an optimism that it can be successfully completed, greatly enhances the likelihood

that the task will be successfully finished.

g. Integrity

- (1) Definition: Uprightness of character and soundness of moral principles. The quality of truthfulness and honesty.
- (2) Significance: A Marine's word is his bond. Nothing less than complete honesty in all of your dealings with subordinates, peers, and superiors is acceptable.

h. Justice

- (1) Definition: Giving reward and punishment according to the merits of the case in question. The ability to administer a system of rewards and punishments impartially and consistently.
- (2) Significance: The quality of displaying fairness and impartiality is critical in order to gain the trust and respect of people, particularly in the exercise of responsibility as a leader.

i. Judgment

- (1) Definition: The ability to weigh facts and possible solutions on which to base sound decisions.
- (2) Significance: Sound judgment is important to a leader in order to gain the respect of his subordinates.

j. Knowledge

- (1) Definition: Understanding of a science or an art. The range of one's information, including professional knowledge and an understanding of your Marines.
- (2) Significance: The gaining and retention of current developments in military and naval science and world affairs is important for your growth and development.

k. Loyalty

- (1) Definition: The quality of faithfulness to country, the Corps, and unit, and to one's seniors, subordinates, and peers.
- (2) Significance: The motto of our Corps is Semper Fidelis! You owe unswerving loyalty up and down the chain of command, to seniors, subordinates, and peers.

l. Tact

- (1) Definition: The ability to deal with others without creating offense.
- (2) Significance: The quality of consistently treating peers, seniors, and subordinates with respect and courtesy is a sign of maturity. This deference must be extended under all conditions, regardless of true feelings.

m. Unselfishness

- (1) Definition: Avoidance of providing for one's own personal advancement at the expense of others.

- (2) Significance: The quality of looking out for the needs of your subordinates before your own is the essence of leadership. This quality is not to be confused with putting these matters ahead of the accomplishment of the mission.

n. Initiative

- (1) Definition: Readiness and ability in initiating action.
- (2) Significance: The ability to plan and think with foresight and to correct problems and improve situations without direction lead to better preparedness in peacetime and in war.

- 2. Provide examples in a discussion format that illustrate how each of these traits contributes to (or how a lack of these traits detract from) leadership within a small unit. Some examples of concepts that should be related to the effectiveness of leadership traits include, but are not limited to: Combat effectiveness, morale, discipline, senior-subordinate relations, and esprit de corps.
- 3. Spend extra time discussing integrity. Emphasize that the mere perception of dishonesty (lack of integrity) can prove to be extremely detrimental within a small unit, regardless of whether or not the dishonesty has occurred. Perceptions can often be more important than reality! Explain to the students that this concept also carries over into material that they will see later in the course, such as equal opportunity, sexual harassment, fraternization, etc.
- 4. Summarize the leadership traits by presenting the mnemonic "JJ DID TIE BUCKLE"

as a means for remembering the fourteen traits.

- C. Leadership principles. Ask the midshipmen to provide the eleven leadership principles. List them on the chalkboard or overhead as they respond.
 - 1. Present the explanation of each principle. The following explanations are taken from The Basic School's Philosophy of Leadership class outline (B0606) dated December 1994.
 - a. Be technically and tactically proficient. Before you can lead, you must be able to do the job; thus, the first principle is to know your job. As a Marine, you must demonstrate your ability to accomplish the mission. To do this, you must be capable of answering questions and demonstrating competence in your MOS. Respect is the reward of the Marine who shows competence. Tactical and technical competence can be learned from books and from on-the-job training.
 - b. Know yourself and seek self improvement. This principle of leadership should be developed by the use of leadership traits. Evaluate yourself by using the leadership traits and determine your strengths and weaknesses. Work to improve your weaknesses and use your strengths. With knowledge of yourself, and your experience and knowledge of group behavior, you can determine the best way to deal with any given situation. With some Marines and in certain situations, the firm, hard stand may be most effective; however, in other situations, the "big brother" approach may work better. You can improve yourself in many ways. Reading and observing can achieve self-improvement.

Ask your friends and seniors for an honest evaluation of your leadership. This will help you to find your weaknesses and strengths.

- c. Know your Marines and look out for their welfare. This is one of the most important of the principles. You should know your Marines and how they react to different situations. This knowledge can save lives. A Marine who is nervous or lacks self-confidence should never be put in a situation where an important, instant decision must be made. Knowledge of your Marine's personalities will enable you, as a leader, to decide how to best handle each Marine and determine when close supervision is needed.
- d. Keep your Marines informed. Marines are by nature inquisitive. To promote efficiency and morale as a leader, you should inform the Marines in your unit of all happenings and give reasons why things are to be done. This, of course, is done when time and security permit. Informing your Marines of the situation makes them feel that they are a part of the team and not just a cog in a wheel. Informed Marines perform better and, if knowledgeable of the situation, can carry on without your personal supervision. The key to giving out information is to be sure that the Marines have enough information to do their job intelligently and to inspire their initiative, enthusiasm, loyalty, and convictions.
- e. Set the example. As a Marine progresses through the ranks by promotion, all too often he takes on the attitude of "do as I say, not as I do." Nothing turns Marines off faster!

As a Marine leader, your duty is to set the standards for your Marines by personal example. The Marines in your unit watch your appearance, attitude, physical fitness, and personal example. If your personal standards are high, then you can rightfully demand the same of your Marines. If your personal standards are not high, you are setting a double standard for your Marines, and you will rapidly lose their respect and confidence. Remember, your Marines reflect your image! Leadership is taught by example.

- f. Ensure that the task is understood, supervised, and accomplished. This principle is necessary in the exercise of command. Before you can expect your Marines to perform, they must know first what is expected of them. You must communicate your instructions in a clear, concise manner. Talk at a level that your Marines are sure to understand, but not at a level so low it insults their intelligence. Before your Marines start a task, allow them a chance to ask questions or seek advice. Supervision is essential. Without supervision, you cannot know if the assigned task is being properly accomplished. However, over-supervision is viewed by subordinates as harassment and effectively stops their initiative. Allow subordinates to use their own techniques, and then periodically check their progress.
- g. Train your Marines as a team.
 - (1) Every waking hour, Marines should be trained and schooled, challenged and tested, corrected and encouraged with perfection and teamwork as a goal. When not at war, Marines are judged in peacetime roles -- perfection in

drill, dress, bearing and demeanor, shooting, and self-improvement; but, more than anything else, Marines are judged by performance. No excuse can be made for the failure of leaders to train their Marines to the highest state of physical condition and to instruct them to be skillful as the very best in the profession of arms. Train with a purpose and emphasize the essential element of teamwork.

- (2) The sharing of hardships, dangers, and hard work strengthens a unit and reduces problems. It develops teamwork, improves morale and esprit, and molds a feeling of unbounded loyalty -- and this is the basis for what makes men fight in combat; it is the foundation for bravery, for advancing under fire. Troops don't complain of tough training -- they seek it and brag about it.
- (3) Teamwork is the key to successful operations. Teamwork is essential from the smallest unit to the entire Marine Corps. As a Marine officer, you must insist on teamwork from your Marines. Train, play, and operate as a team. Be sure that each Marine knows his position and responsibilities within the team framework.
- (4) When team spirit is in evidence, the most difficult tasks become much easier to accomplish. Teamwork is a two-way street. Individual Marines give their best, and, in return, the team provides the Marine with security,

recognition, and a sense of accomplishment.

- h. Make sound and timely decisions.
 - (1) The leader must be able to rapidly estimate a situation and make a sound decision based on that estimation. Hesitation or a reluctance to make a decision leads subordinates to lose confidence in your abilities as a leader. Loss of confidence in turn creates confusion and hesitation within the unit.
 - (2) Once you make a decision and discover it is the wrong one, don't hesitate to revise your decision. Marines respect the leader who corrects mistakes immediately, instead of trying to bluff through a poor decision.
- i. Develop a sense of responsibility among your subordinates. Another way to show your Marines that you are interested in their welfare is to give them the opportunity for professional development. Assigning tasks and delegating the authority to accomplish tasks promotes mutual confidence and respect between the leader and subordinates. It also encourages the subordinates to exercise initiative and to give wholehearted cooperation in the accomplishment of unit tasks. When you properly delegate authority, you demonstrate faith in your Marines and increase their desire for greater responsibilities. If you fail to delegate authority, you indicate a lack of leadership, and your subordinates may take that to be a lack of trust in their abilities.

- j. Employ your unit in accordance with its capabilities. Successful completion of a task depends upon how well you know your unit's capabilities. If the task assigned is one that your unit has not been trained to do, failure is very likely to result. Failures lower your unit's morale and self-esteem. You wouldn't send a cook to "PM" a vehicle nor would you send three Marines to do the job of ten. Seek out challenging tasks for your unit, but be sure that your unit is prepared for and has the ability to successfully complete the mission.
 - k. Seek responsibility and take responsibility for your actions. For professional development, you must actively seek out challenging assignments. You must use initiative and sound judgment when trying to accomplish jobs that are not required by your grade. Seeking responsibilities also means that you take responsibility for your actions. You are responsible for all your unit does or fails to do. Regardless of the actions of your subordinates, the responsibility for any decision and its application falls on you. You must issue all orders in your name. Stick by your convictions and do what you think is right; but accept justified and constructive criticism. Never remove or demote a subordinate for a failure that is the result of your own mistake.
2. Provide examples in a discussion format that illustrate how each of these principles contributes to (or how a lack of these principles detract from) leadership within a small unit. Attempt to draw on personal experiences from previous commands to emphasize key points.

3. Summarize the leadership principles by stressing that they do not represent a "sure-fire" formula for successful leadership. Rather, they are time-tested guidelines useful for all leaders.
- D. Marine Corps philosophy of command. The Marine Corps' philosophy of command must first and foremost lend credence to their warfare philosophy. The Marine Corps philosophy has significant aspects that when understood and utilized by junior officers in any service can make them very successful leaders. This philosophy espouses initiative, boldness, and intelligence in leadership. Although this philosophy is applicable to peacetime operations, it recognizes that Marines will fight as they train; thus, they must train smartly. Precepts of the Marine Corps philosophy of command are as follows:
1. Leaders must encourage decentralization to foster initiative.
 2. The focus must be placed on the human dimension of command, exploiting the human traits such as boldness, initiative, personality, strength of will and imagination.
 3. Marines must have personal, competent leadership from the front.
 4. We must thrive on chaos and uncertainty, for that is what we will face in combat.
 5. Familiarity and confidence amongst comrades encourage implicit communications.
- E. Foundations of Marine Corps leadership. There are five concepts that serve as the leadership foundation for the Marine Corps: Establishing and maintaining standards, setting the example, demonstrating moral and physical courage,

developing esprit de corps, and maintaining readiness.

1. Establishing and maintaining standards. The leader must provide the standards of excellence which he expects his Marines to meet and ensure that all personnel continue to meet that standard in their daily performance of duty. These standards include comradeship, love of Corps and country, and brotherhood. General John A. Lejeune spoke of embodying these standards in the father-son, teacher-scholar relationship between an officer and his Marines.
2. Setting the example. In every aspect of his life, the officer must lead by example. Marines, in fact no subordinate, is responsive to the cliché, "Do as I say, not as I do." The most effective officer is one who sets the example that he expects his Marines to follow. This leadership must be embodied in personal standards of conduct (ethics), professional development, and performance of duty.
3. Individual moral and physical courage. In a previous lesson, we defined courage as, "A mental quality that recognizes fear of danger or criticism, but enables one to proceed in the face of it with calmness and firmness." That courage can be exhibited on physical and moral battlefields. This courage can be found in Marines for three reasons: We are well trained and well led, we have convictions that sustain us through sacrifices, and we fight for one another.
4. Esprit de corps. It is a mutual respect between officers and enlisted Marines; a feeling of confidence, comradeship and brotherhood among Marines. It is the spirit of unity that motivates Marines to overcome seemingly insurmountable odds. This esprit is fostered by the positive attitude of

confident leaders. Esprit de corps is evident in unit pride, reputation, and enthusiasm.

5. Readiness. Instinctive decisiveness in leaders, coupled with the preparedness to go anywhere, anytime to successfully perform any mission.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND MANAGEMENT**

LESSON GUIDE: 15

HOURS: 3.0

(Lesson 1.5 hrs and Role Play/Case Study 1.5 hrs)

TITLE: THE MORAL LEADER

I. Learning Objectives

A. Reading Objectives:

1. The student will know the main points of Epictetus' outline of Stoicism and the key Stoic virtues.
2. The student will comprehend the role of Epictetus' work as a guide to the ethics and behavior of a military officer.
3. The student will comprehend the importance of maintaining ethical conduct in the face of adversity (combat/POW experiences), as well as during routine peacetime operations.

B. Discussion Objectives:

1. The student will be able to discuss how Epictetus' work helps relate theories and philosophies of moral and ethical conduct to actual situations that might be encountered by a military leader.
2. The student will apply Epictetus' tenets of Stoicism to the idea of moral leadership (inner serenity, will, external world, desires, actuality, humility, etc.) and to moral, ethical, and social issues through development of well-reasoned argument and the ability to state defensible positions.
3. The student will be able to discuss the application of "self-mastery" to the duties and obligations of a moral military leader.

4. The student will be able to discuss the characteristics of leadership and self-mastery as Stockdale saw them during his time as a POW.

II. References and Texts

A. Instructor References:

1. Ethics for Military Leaders, Chapter 13
2. Teaching Tips, 11th ed., Chapter 16
3. "Philosopher POWs" Role Play (attached)

B. Student Text: Ethics for Military Leaders, Chapter 13

III. Instructor Notes

- A. This is the final lesson for the academic portion of the course. It is imperative the instructor find good contemporary material to wrap up this portion of the course. The initial part of this lesson should be group discussion-oriented. The concepts to be presented later will be explored through the case study.
 1. The instructor is encouraged to find a contemporary incident in which military members have been placed in harms way to execute a mission. Anything ranging from naval battles in WW-II to Marines going ashore in Afghanistan can be used. The instructor should select something recent if possible, so the students will relate to it more easily. Provide background material to the students, so they can see the importance of a solid ethical foundation when they must risk life and limb for a mission. Instructors may choose to use the "Philosopher POWs" role play to begin this lesson.
 2. Divide the class into groups based on the major concepts students have learned in this course, including but not limited to:

a constitutional or legal group, a Kantian group, a utilitarian group, a theological group, etc. You can even identify the spokesperson for each group as Kant, Bentham, Mill, Aquinas, Aristotle, Epictetus, Stockdale, etc.

3. Then provide a list of questions to each group regarding their actions or feelings toward the mission at hand. Present questions that encourage each group to arrive at a different answer, such as; 1) Does the reason for this mission fall in line with the philosophy or principles of your group? 2) Does your group have an obligation to participate in this mission or operation? 3) Are there any conflicts with your philosopher in participating in this mission? 4) Are there things that should have been done or could be done to make the mission more in line with your group's principles, to allow participation in it without reservation (i.e. specific rules of engagement, slightly different mission, executing the mission for a different reason, or a totally different mission that would meet the mission goals but fall more in line with your group's thought and principles.
 4. Ensure the group discussions lead into the seminar portion of this lesson.
- B. A "virtue" that one hopes to find in military officers is leadership ability. Taking inspiration both from Stoic tradition and the heroism of Vice Admiral James B. Stockdale, this unit explores what might go into this largely intangible character trait. Admiral Stockdale found the philosophy of Epictetus (a Roman Stoic) helpful in coping with the extreme hardship he experienced as a prisoner of war during the Vietnam conflict. Stockdale uses Epictetus' philosophy to discuss dealing with adversity and developing a model of moral leadership.

C. This lesson should be concluded with a case study and/or role-play exercise similar to those used in the beginning. In order to ensure a quality learning experience, it is imperative that the students and the instructor know well both the cases and the case study method. (See Teaching Tips, Chapter 16.) Wrapping up this lesson with a recent issue or contemporary military mission will help students recognize the necessity of continuing their professional and personal development in Leadership and Ethics and that of their sailors. Sample topics that can be considered as of publication of this lesson guide include, but are not limited to:

1. Possible U.S. intervention in the Israeli-Palestinian conflict.
2. U.S. continued presence in the Persian Gulf despite Muslim and Arab religious objections to foreigners on their soil.
3. International blockade of Weapons of Mass Destruction (WMD) technology and materials from 3rd world countries.
4. Possible U.S. intervention in the conflict between India and Pakistan over the Kashmiri Line of Control.

IV. Lesson Outline

A. Epictetus was born a slave in about A.D. 50 and grew up in Asia Minor speaking the Greek language of his slave mother. At age 15, he was chained and taken to Rome in a slave caravan. Epictetus argues that self-mastery under any external conditions is the true road to inner peace. "The Enchiridion" (meaning "ready at hand") is, as its title suggests, a handbook. Epictetus was a man of unusual intelligence and sensitivity who gleaned wisdom about the abuse of power and self-indulgent debauchery.

- B. The Enchiridion (and Stoicism) is intended, in part, as a comforting sentiment. Some of its characteristic traits are:
1. It is similar to the Christian saying: "This, too, shall pass." If you understand human nature and the "way of the world," nothing will surprise you or take you off-guard; troubles are just a part of life.
 2. When bad things happen to you, you do not have to let them alter your mental outlook on life. If you were once contented, you have the capacity to be contented again. Your emotions and attitude are completely within your own control; they should not depend on outside factors. Things do not "make you sad" -- you decide whether or not to be sad.
 3. "It is thy duty . . . to show good humor and not a proud air, to understand however that every man is worth just so much as the things are worth about which he busies himself." You must hold yourself to the highest standards, but don't look down on others who don't meet those standards. You must strive to achieve personal excellence combined with humility and tolerance. Also, "you are what you do." If you spend your time on meaningless activities, your life will have no meaning.
 4. "In discourse thou must attend to what is said, and in every movement thou must observe what is doing..." To get the full picture, you must both listen to what people say and note what they do. You must soak in all available information before passing judgment.
- C. Epictetus's articles tell us many things. What do the following extracts from his articles mean to you?
1. *"The body is to everyone the proper measure of its possessions, as the foot is of the shoe."*

2. *"Everything has two handles: one by which it may be borne, another by which it cannot."*

D. VADM Stockdale viewed his experience in prison camp as a kind of "laboratory test" of the relation between our ethics and our fate, because, "...this is a situation where values 'stand naked.'" What does life in the world of the camp teach us about ourselves and our attitudes and behavior in the world we normally inhabit?

1. There are no distractions or considerations, such as bureaucracy, profit or technology.
2. There is no support from tradition and community.
3. The environment and the difficulties are so alien that ordinary rules and principles seem not even to apply.
4. The pivotal element in the relation between our ethics and our fate turns out to be integrity or self-respect.

E. The two strains of classical wisdom which Stockdale credits with keeping self-respect intact:

1. The lesson of Job in the Bible: "Life is not fair."
2. The Stoicism of Epictetus.

F. Stoic's Goals:

1. Inner serenity, which comes from conforming to nature and following reason.
2. The best of life for humans, which comes from having {peace of mind}; perturbations of the soul arise from some {discrepancy} between our will and the external world. The cure for this discrepancy is to cease to have expectations other than what the external world serves up.
3. Making desires conform with actuality.

4. Striving for indifference in matters beyond our power.

G. Stoic Indifference: "Think of what is not within your power; events in the past, movements of the stars; it is these things to which we are morally indifferent." The Stoic philosopher knows that if we build our hope, we are doomed to endless sorrow, envy, and strife. So, we should try to bring our desires to the level of actuality. This is possible because our wants are within our power, even though external things are not. ". . . we should strive for indifference in matters beyond our power . . ."

H. Stoic Self-mastery. How do you achieve this?

1. By understanding the workings of the universe (using your reason).
2. If you really understand the world, you will reach the conclusion that all nature tends to the good and that all events are causally determined. This understanding will extinguish your desire for things to be other than they are.
3. Recognize the emotion of hate as an inefficient indulgence.
4. Don't rely on ideology to provide the impetus for "beating the system" -- instead, take action in the spirit of competition, as an expression of self-respect.
5. Be educated, particularly in liberal arts. You are going to need broad-based insight about yourself and about the human condition if you are going to be able to be smart in situations where technical knowledge does not apply. Note that Stockdale says "a little knowledge is a dangerous thing."

V. Discussion Questions

- A. As he parachuted from his A-4, what did VADM Stockdale mean when he thought, "I'm leaving the world of technology and entering the world of Epictetus?" How does the world of Epictetus, on Stockdale's account, differ from our world of technology? What does life in this world have to teach us about ourselves and about our attitudes and behavior in the world we normally inhabit?
 - B. What does Stockdale mean in saying "that the thing that brings down a man is not pain but shame?" How does this square with the teaching of Epictetus? As a prisoner of war, what things are in your power, and what things are not in your power?
 - C. Select three well-known historical figures who, in your opinion, come closest to being moral exemplars. Are these figures generally thought to be near ideal?
 - D. We face hazards in focusing on ideal models. For example, the moral ideal encourages dedication to the person embodying that ideal. This may curtail moral autonomy. Discuss some other dangers and explain how they could be avoided.
 - E. How do you, as a military leader, resolve the apparent conflict between some of Epictetus's tenets of Stoicism and "Officer Qualities," such as personal excellence, motivation, honor, courage, and commitment? Can you be a high achiever and be a stoic?
- VI. In-Class Exercise/Case Study/Role Play: "Philosopher POWs" Role Play (attached)
- VII. Supplemental Learning Opportunities: Review current events for new discussion materials or cases.

PHILOSOPHER POWS ROLE PLAY EXERCISE

SITUATION: On a recent mission as a fighter pilot, you are captured as a POW in Iraq. You think, on analogy with ADM Stockdale's thoughts in a similar situation, that you are leaving behind the world of technology and entering a world where your character will be tested. You remember, too, Stockdales' words to WestPoint that the obligation of an officer -- his or her duty -- is "to be a moralist."

INSTRUCTIONS: Different individuals/groups should be assigned to assume the roles of different philosophers studied in this course (e.g., Epictetus, Aristotle, Kant, Bentham, Mill, Aquinas, or others). The students will determine how each would view the moral aspects of their conduct while a POW as a part of their "duty." Some questions to be considered are:

1. What would sustain the POW's characters?
2. Could the POWs lie to the guards?
3. How should an individual POW deal with the desire (or perhaps even a special offer) for early release?
4. Imagine issues that might create problems regarding relations between fellow prisoners. What principles apply to dealing with these?
5. What emotions might a POW feel?
6. When might shame or guilt be an appropriate emotion?
7. Does one have an obligation to be moral in circumstances when one is dehumanized? How? In what ways?

This exercise is taken from the Instructor's Guide for the U.S. Naval Academy course, "Moral Reasoning for Naval Leaders," Lesson 14.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 1

HOURS: .5

TITLE: THE UCMJ AND U.S. NAVY REGULATIONS

I. Learning Objectives

- A. The student will comprehend the purpose, scope, and constitutional basis of U.S. Navy Regulations and will relate these regulations to personal conduct in the military.
- B. The student will comprehend the purpose, scope, and constitutional basis of the Uniform Code of Military Justice (UCMJ) and relate it to personal conduct in the military.
- C. The student will comprehend how the UCMJ, practice of military law, and applications of regulations may affect a junior officer's performance of his duties.

II. References and Texts

A. Instructor References:

- 1. Naval Law, 3rd ed., Chapter 2
- 2. OPNAVINST 3120.32 (Series), SORN
(<http://neds.nebt.daps.mil/Directives/table09.html>)
- 3. U.S. Navy Regulations, 1990
<http://neds.nebt.daps.mil/regs.htm>
- 4. UCMJ
<http://www.au.af.mil/au/awc/awcgate/ucmj.htm>

B. Student Texts:

- 1. Naval Law, 3rd ed., Chapter 2
- 2. U.S. Navy Regulations, 1990
(<http://neds.nebt.daps.mil/regs.htm>)

3. UCMJ

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options
 - 1. Lecture
 - 2. Discussion
- B. Procedural and student activity options
 - 1. Reading assignment
 - 2. Discussion/Ask questions

V. Lesson Outline

- A. The UCMJ
 - 1. Purpose: Standardize military law for all U.S. services -- Army, Navy, Air Force, Coast Guard, and Marine Corps. National Oceanic and atmospheric Administration (NOAA) and United States Public Health Service (USPHS) commissioned corps are under UCMJ when operating as part of DoD (wartime or national emergency)
 - 2. Constitutional basis
 - a. Section 8 of Article I of the Constitution
 - b. UCMJ passed by Congress in 1950 and became part of U.S. Statutes
 - 3. Scope

- a. 140 articles
 - (1) Articles 1-6, General provisions
 - (2) Articles 7-14, Apprehension and restraint
 - (3) Article 15, Non-judicial punishment
 - (4) Article 16-21, Court-martial jurisdiction
 - (5) Articles 22-29, Court-martial composition
 - (6) Articles 30-35, Pretrial procedures
 - (7) Articles 36-54, Trial procedures
 - (8) Articles 55-58, Sentences
 - (9) Articles 59-76, Post-trial procedures and review
 - (10) Articles 77-134, Punitive articles
 - (11) Articles 135-140, Misc. provisions
 - (12) Articles 141-146, Court of Military Appeals
- b. The Punitive Articles
 - (1) Define military crimes
 - (2) Define elements of the offense
- c. Provide wording and definition for charges and specifications
- d. List lesser included offenses
- e. Set limits on maximum punishment

4. Discuss the effect of the UCMJ on personal and professional conduct.

B. U. S. Navy Regulations

1. Purpose: Spelled out in Article 1201 of the regulations -- "principal regulatory document of the Navy" - applies to the Navy and Marine Corps (Coast Guard when operating as part of the Navy)
2. Constitutional basis: Authorized by Title 10, U.S. Code, section 6011. Latest edition issued in 1990.
3. Scope: Composed of 12 chapters, each of which contains several articles dealing with the topics below:
 - a. Chapter 1: Statutory authority for U.S. Navy Regulations
 - b. Chapter 2: The Department of the Navy
 - c. Chapter 3: The Secretary of the Navy
 - d. Chapter 4: The Chief of Naval Operations
 - e. Chapter 5: The Commandant of the Marine Corps
 - f. Chapter 6: The United States Coast Guard
 - g. Chapter 7: Commanders in Chief and Other Commanders
 - h. Chapter 8: The Commanding Officer
 - i. Chapter 9: The Senior Officer Present
 - j. Chapter 10: Precedence, Authority, and Command
 - k. Chapter 11: General Regulations
 - l. Chapter 12: Flags, Pennants, Honors,

Ceremonies, and Customs

4. Key chapters for junior officers include Chapters 7 through 11.
 5. Discuss the impact of U.S. Navy Regulations on an officer's personal and professional conduct.
- C. Discuss other orders and regulations which have the effect of law and stem from the UCMJ and U.S. Navy Regulations.
1. DoD, DoN, Washington-level instructions and notices
 2. Fleet, TYCOM, Unit Commander directives
 3. Unit notices, instructions, and regulations

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 2

HOURS: .5

**TITLE: ADMINISTRATIVE INVESTIGATIONS AND ADMINISTRATIVE
DISCHARGES**

I. Learning Objectives

- A. The student will comprehend junior officer responsibilities relative to the military justice system, including familiarization with administrative investigations and discharges.
- B. The student will know the types of administrative fact-finding bodies.
- C. The student will know the conditions under which line of duty and misconduct are present.
- D. The student will know the three determinations that can be made in line of duty/misconduct investigations.
- E. The student will know the types of administrative discharges.

II. References and Texts

A. Instructor References:

- 1. JAG Manual
(http://neds.nebt.daps.mil/jag/5800_7c.pdf)
- 2. Just and Unjust Wars
- 3. Naval Law, 3rd ed., Chapter 4
- 4. NMPCINST 1910.1 (Series), "Administrative Separation Procedures"
- 5. MILPERS Manual 3610100-3640200

B. Student Text: Naval Law, 3rd ed., Chapter 4

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Method and Options

- A. Lecture
- B. Discussion

V. Lesson Outline

- A. Necessity for fact-finding bodies
 - 1. Gather facts or information for decisions
 - 2. Proper disposition of claims against the government
 - 3. Personnel determinations
 - 4. Redress injuries to property
- B. Types of fact-finding bodies
 - 1. Court of inquiry
 - 2. Investigation required to conduct a hearing
 - 3. Investigation not required to conduct a hearing
- C. Components of an investigative report
 - 1. Appointing order
 - 2. Preliminary statement
 - 3. Findings of fact
 - 4. Opinions
 - 5. Recommendations

D. Incidents requiring investigation

1. JAGMAN requires investigation of certain types of incidents
2. Give examples

E. Line of Duty (LOD)/Misconduct Investigation

1. Discuss circumstances where LOD/misconduct determination is required/warranted.
2. Conditions affecting LOD and misconduct:
 - a. LOD - Always assumed, with the following exceptions:
 - (1) Result of person's own misconduct
 - (2) Result while avoiding duty by desertion
 - (3) Result while absent without leave
 - (4) Result while confined under a court-martial sentence, which involved an unremitted dishonorable discharge
 - (5) Result while confined under sentence of a civilian court for a felony
 - b. Misconduct
 - (1) Intentionally incurred
 - (2) Approximate result of gross negligence
 - (3) Intoxication
3. Determinations
 - a. In line of duty, not due to own misconduct
 - b. Not in line of duty, not due to own misconduct
 - c. Not in line of duty, due to own misconduct

- d. Will never be found in line of duty due to own misconduct

F. Administrative discharges: Enlisted

- 1. Honorable
- 2. General
- 3. Other Than Honorable (OTH) - Discuss consequences.
- 4. Entry-level separation

G. Mandatory administrative processing for:

- 1. Homosexuality
- 2. Felonies
- 3. Sexual perversion
- 4. Drug trafficking
- 5. Drug abuse

H. Administrative discharges: Officer

- 1. Honorable
- 2. General
- 3. Other Than Honorable

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 3

HOURS: .5

TITLE: COURTS-MARTIAL AND THE LEGAL RIGHTS OF THE ACCUSED

I. Learning Objectives

- A. The student will comprehend junior/company grade officer responsibilities relative to the military justice system and the courts-martial process.
- B. The student will know the three types of courts-martial.
- C. The student will know the maximum punishments allowed by each level of courts-martial.
- D. The student will know the rights of an accused.
- E. The student will know the purpose of Article 31 of the UCMJ.

II. References and Texts

A. Instructor References:

- 1. Manual for Courts-Martial
<http://www.jag.navy.mil/documents/mcm2000.pdf>
- 2. Naval Law, 3rd ed., Chapters 3, 4, 5 and 6
- 4. JAG Manual
(http://neds.nebt.daps.mil/jag/5800_7c.pdf)
- 5. Marine Officer's Guide, 6th ed., Chapter 19

- B. Student text: Naval Law, 3rd ed., Chapters 3, 4 and 6

III. Instructional Aids

- A. Chalkboard

- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- IV. Suggested Methods and Procedures
- A. Lecture
 - B. Discussion
- V. Lesson Outline
- A. Procedures for the conduct of courts-martial are contained in Parts II and III of the Manual for Courts Martial.
 - B. Court must have jurisdiction to try case by satisfying the following elements:
 - 1. Jurisdiction over accused
 - 2. Jurisdiction over offense
 - 3. Proper convening
 - 4. Proper composition
 - 5. Proper referral of charges
 - C. Types of courts-martial
 - 1. Summary court-martial (SCM)
 - a. Convening authority
 - b. Members
 - c. Procedures
 - d. Authority (explain right of accused to refuse SCM)
 - e. Maximum punishments authorized
 - f. Officers may not be tried by SCM
 - 2. Special court-martial (SPCM)

- a. Convening authority
 - b. Members
 - c. Procedures
 - d. Authority
 - e. Maximum punishments authorized
- 3. General court-martial (GCM)
 - a. Convening authority
 - b. Members
 - c. Procedures - include Article 32 hearing
 - d. Authority
 - e. Maximum punishments allowed
- D. Maximum punishment an accused may be awarded
 - 1. Punishment authorized by MCM for type of court
 - 2. Punishment authorized by UCMJ for offense(s)
- E. Courts may award punitive discharges (except for SCM)
 - 1. Dismissal (for officers only)
 - 2. Dishonorable Discharge
 - 3. Bad Conduct Discharge
- F. The rules for court-martial require a speedy trial (Based on 6th Amendment to Constitution).
 - 1. "Speedy Trial Clock" starts when charges preferred or accused placed in pretrial confinement

2. Maximum 120 days; 90 days if confined

3. Consequence of failure to comply

G. Rights of the Accused

1. Article 31, UCMJ

2. Right to counsel (MRE 305)

3. Spontaneous confessions

4. Consequence of violating the rights of the accused

**NAVAL RESERVE OFFICER TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 4A

HOURS: .5

TITLE: NON-JUDICIAL PUNISHMENT (NJP)

I. Learning Objectives

- A. The student will comprehend junior officer responsibilities in the military justice system, including familiarization with non-judicial punishment.
- B. The student will know the three types of mast.
- C. The student will know the definition of NJP and its purpose.
- D. The student will know the three options available to the command when a report sheet is generated.
- E. The student will know the four options available to a CO when he/she hears a case at mast.
- F. The student will know what punishments a CO may impose under Article 15 of the UCMJ.
- G. The student will know the process for appealing NJP.

II. References and Texts

A. Instructor References:

- 1. JAG Manual, Chapter 1
(http://neds.nebt.daps.mil/jag/5800_7c.pdf)
- 2. Manual for Courts-Martial, Part V
<http://www.jag.navy.mil/documents/mcm2000.pdf>
- 3. Naval Law, 3rd ed., Chapter 4
- 4. UCMJ, Article 15

5. Marine Officer's Guide, 6th ed., Chapter 19, pp. 318

B. Student Texts:

1. Naval Law, 3rd ed., Chapter 4
2. Marine Officer's Guide, 6th ed., pp. 318 and 387-96

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Lecture
- B. Discussion. (Instructor Note: The amount of military law instruction necessary will vary per unit. Some units conduct instruction in military law, such as Captain's Mast and NJP, or handle unauthorized absences as part of their normal midshipman battalion activities or as part of Naval Science Lab. Marines and Sailors will receive more instruction at The Basic School and during follow-on Warfare Schools. However, instructors should ensure the students learn the basic concepts with which they may be faced upon entering the fleet and fleet marine force.)

V. Lesson Outline

- A. Masts. Three types:
1. Request
 2. Meritorious
 3. Disciplinary (NJP)
- B. NJP

1. Article 15, UCMJ, authorizes disciplinary punishment without courts-martial for all services.
 2. The JAG Manual modifies Article 15 for Navy.
 3. Who may impose NJP (JAGMAN 0101)?
 4. Right to refuse NJP unless attached to or embarked aboard a vessel.
 5. Right to demand trial by court-martial in lieu of NJP.
 6. NJP is a non-judicial proceeding, corrective in nature.
 7. Results of NJP may be published to deter others (JAGMAN 0107).
- C. CO's pre-mast study (commonly known as the XO's screening)
1. Three options upon receipt of report sheet:
 - a. Hear the case at mast.
 - b. Dismiss the case.
 - c. Direct further investigation.
 2. Four options available to CO at mast:
 - a. Dismiss case.
 - b. Award NJP.
 - c. Refer to Summary or Special Court-Martial.
 - d. Pretrial investigation for General Court-Martial.
- D. Mast procedures -- Briefly describe the procedures that will be demonstrated in the "Mock Captain's Mast" exercise.

1. Contained in paragraph 4, Part V, MCM.
2. Formal rules of evidence do not apply.
3. CO considers all relevant matters.

E. Punishments

1. Table of maximum punishments (Manual for Courts-Martial)
2. Authority to impose various punishments
 - a. Rank/Billet of commander
 - b. Pay grade of accused
3. Options
 - a. Suspension
 - b. Mitigation
 - c. Remission
 - d. Setting aside
 - e. Vacation of a suspended sentence (punishment)
4. Administrative actions and punishments are not the same. The following are administrative actions:
 - a. Administrative discharge
 - b. Not recommended for advancement
 - c. Removal of NEC or rating
 - d. Page 13 counseling entry
 - e. Adverse performance evaluation
 - f. Not recommended for reenlistment

F. Appeals process

1. Commencement of punishment pending appeal
2. Must be initiated within 5 days of imposition of punishment
3. Must meet certain criteria
 - a. Punishment disproportionate to the offense charged
 - b. Punishment is unjust

VI. In-Class Exercise: "Mock Captain's Mast," which is included as Senior Seminar Lesson 4B.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 4B

HOURS: .5

TITLE: MOCK CAPTAIN'S MAST

I. Learning Objectives

- A. The student will know the procedures for a properly conducted mast.
- B. The student will participate in a mock Captain's Mast.

II. References and Texts

A. Instructor References:

- 1. Manual for Courts Martial, Part V
<http://www.jag.navy.mil/documents/mcm2000.pdf>
- 2. JAG Manual, Chapter 1
(http://neds.nebt.daps.mil/jag/5800_7c.pdf)
- 3. Naval Law, 3rd ed., Chapter 4

- B. Student Text: Naval Law, 3rd ed., Chapter 4

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. Captain's Mast exercise (attached)

IV. Suggested Methods and Options

- A. Method options
 - 1. Practical application
 - 2. Discussion

B. Procedural and student activity options

1. Students should review the material for the Captain's Mast exercise prior to the actual mast.
2. Selected students should be assigned to specific roles in the conduct of the mast. The unit commanding officer or executive officer should take the role of the Captain in the mast. It may be helpful for the instructor to occupy the role of legal officer.

V. Lesson Outline

- A. Conduct the Mock Captain's Mast.
- B. Discuss the mast.

CAPTAIN'S MAST EXERCISE

CMAA: (When CO arrives) "ATTENTION ON DECK"

The members of the accused individual's chain of command should position themselves in an appropriate place in the event they are asked to testify. All witnesses should be present, as well as the legal officer and command senior/master chief.

CMAA: (After CO has assumed his position) "HAND SALUTE. READY TWO"

CO: (To CMAA) "CALL THE FIRST CASE"

CMAA: "PETTY OFFICER REDEYE, REPORT"

(Petty Officer Redeye will salute at this time.)

CMAA: "PETTY OFFICER REDEYE, UNCOVER, TWO"

CO: "QM3 REDEYE, YOU HAVE BEEN CHARGED WITH COMMITTING THE FOLLOWING OFFENSES (SEE ATTACHED SHEET). THIS IS NOT A COURT-MARTIAL AND THE RULES OF EVIDENCE DO NOT APPLY. I WANT TO HEAR BOTH SIDES OF THE STORY SO THAT I CAN INTELLIGENTLY DECIDE HOW TO DISPOSE OF YOUR CASE. I MUST ADVISE YOU, HOWEVER, THAT YOU HAVE THE ABSOLUTE RIGHT TO REFUSE TO MAKE ANY STATEMENT OR TO ANSWER ANY QUESTION CONCERNING THE OFFENSES. YOU MUST CONSIDER THIS RIGHT TO REMAIN SILENT SERIOUSLY, BECAUSE IF YOU DECIDE TO MAKE A STATEMENT OR ANSWER ANY QUESTIONS, THAT STATEMENT OR THOSE ANSWERS COULD BE USED AGAINST YOU. DO YOU UNDERSTAND FULLY WHAT I HAVE JUST SAID?"

QM3 REDEYE: "YES, SIR"

CO: "PETTY OFFICER REDEYE, YOU HAVE PREVIOUSLY BEEN ADVISED BY THE EXECUTIVE OFFICER THAT AS A MEMBER OF THIS CREW, YOU DO NOT HAVE THE RIGHT TO REFUSE NJP. DO YOU UNDERSTAND THAT

YOU ARE REQUIRED TO SUBMIT TO THIS
PROCEEDING?"

QM3 REDEYE: "YES, SIR"

The commanding officer questions witnesses against the accused, and advises the accused of other information against him/her, such as the substance of statements of absent witnesses or results of an investigation.

The commanding officer then asks the accused for his side of the story and listens to any witnesses available on his/her behalf. The commanding officer may then ask the opinion of the division chain of command as to the general ability and reliability of the accused.

The commanding officer then disposes of the case according to the following. See attached sheet for maximum punishments.

1. Dismisses with or without warning.
2. Finds guilty and imposes NJP.
3. Refers case to SCM or SPCM (if eligible to convene), or recommends trial to superior.
4. Orders formal pretrial investigation to determine appropriateness of a recommendation for trial by GCM.
5. Refers case to superior for action.
6. Postpones action pending further investigation or for other reasons.

CO: (Announces punishment, then advises accused)
"IF YOU CONSIDER THIS PUNISHMENT EITHER UNJUST OR OUT OF PROPORTION TO THE OFFENSES OF WHICH I HAVE FOUND YOU GUILTY, YOU MAY APPEAL UNDER THE PROVISIONS OF ARTICLE 15, UCMJ. THE APPEAL MUST BE IN WRITING, MUST SET FORTH YOUR REASONS FOR APPEALING, MUST BE ADDRESSED THROUGH ME TO MY SUPERIOR IN THE CHAIN OF COMMAND, AND MUST BE FORWARDED WITHIN A REASONABLE TIME, ORDINARILY 5 DAYS.

IF YOU DESIRE TO FORWARD AN APPEAL, YOUR
DIVISION OFFICER WILL ASSIST YOU IN PREPARING
IT."

(NOTE: The legal officer may read these
rights to the accused after mast.)

CO: "YOU ARE DISMISSED."

CMAA: "COVER, TWO. HAND SALUTE, TWO." (Petty
Officer REDEYE then departs.)

DETAILS OF OFFENSES

CHARGE I: Violation of the Uniform Code of Military Justice, Article 91 (Insubordinate conduct toward a petty officer.)

Specification 1: In that QM3 David C. REDEYE, U.S. Navy, having received a lawful order from MMC Hester STUFFY, U.S. Navy, his superior petty officer, to control his language and go below, did, on board the USS AWASH, on or about 13 February 1996, willfully disobey the same.

Specification 2: In that QM3 David C. REDEYE, U.S. Navy, on board the USS AWASH, on or about 13 February 1996, was disrespectful in language toward MMC Hester M. STUFFY, U.S. Navy, his superior petty officer, who was then in the execution of her office, by making derogatory insinuations about her personal and family life.

CHARGE II: Violation of the Uniform Code of Military Justice, Article 128 (Assault)

Specification: In that QM3 David C. REDEYE, U.S. Navy, did, on board the USS AWASH, on or about 13 February 1996, assault SN John R. SWIFT, U.S. Navy, by striking at him with his fist.

Charge III: Violation of the Uniform Code of Military Justice, Article 134 (Disorderly Conduct)

Specification: In that QM3 David C. REDEYE, U.S. Navy, was on board the USS AWASH on or about 13 February 1996, drunk and disorderly while in uniform on the quarterdeck.

Maximum Punishments Under Article 15

Admonition or Reprimand	- Yes
Restriction	- 60 days (1-1/2 days extra duty)
Extra Duty	- 45 days (2 days restriction)
Reduction in Grade	- One grade
Forfeiture of Pay	- 1/2 of 2 months
Detention of Pay	- 1/2 of 3 months

SUMMARY OF EVENTS

The evidence against the accused, David C. REDEYE, seems to be fairly straightforward and nonconflicting. REDEYE, arriving on the quarterdeck of the USS AWASH, on 13 February 1996, at approximately 0200, refused to render a salute to the OOD, MMC Hester M. STUFFY. When requested to render the salute, REDEYE, who was extremely drunk, proceeded to use inflammatory language directed at MMC STUFFY. MMC STUFFY, after requesting that REDEYE go below, was forced to call the messenger of the watch (SN John R. SWIFT) to escort REDEYE below. As the messenger attempted to carry out this order, REDEYE attempted to strike him with his fist. He missed and Petty Officer REDEYE passed out on the deck.

From talking with his division officer, REDEYE has been a capable worker, though he is reluctant to assume responsibility and requires supervision. As stated above, he has never acted in such a disorderly or disobedient manner, though known to have been drunk on occasion.

STATEMENT GIVEN BY HM2 RED C. CROSS, USN

I was called to the quarterdeck about 0215 on Friday, 13 February 1996. The OOD (MMC STUFFY) stated that a member of the crew had passed out and might need attention. When I arrived at the quarterdeck, I found QM3 REDEYE in a prone position and unconscious. A preliminary examination revealed no injuries; however, Petty Officer REDEYE appeared to be intoxicated. The messenger of the watch (SN John R. SWIFT) and I carried Petty Officer REDEYE to sickbay. He remained asleep in sickbay until 1400 on 13 February 1996, at which time he returned to his berthing area.

RED C. CROSS
HM2, USN

STATEMENT GIVEN BY MMC HESTER M. STUFFY, USN

I was standing the 0000-0400 OOD watch on Friday, 13 February 1996, on board the USS AWASH (DE 520). QM3 REDEYE returned from liberty and failed to render a salute to me when he came on board. When questioned concerning this apparent oversight, Petty Officer REDEYE became loud and abusive in his language, making dark insinuations concerning my family, heritage, character, and sex life. I then directed Petty Officer REDEYE to "stow" his language and go below to his bunk. He refused and the inflammatory language continued. I then directed the messenger of the watch (SN John R. SWIFT) to escort Petty Officer REDEYE to his bunk. As the messenger proceeded to carry out his orders, Petty Officer REDEYE attempted to strike him with his fist. The intended blow missed and Petty Officer REDEYE fell to the deck and passed out. He was carried to sickbay and later returned to his berthing area.

HESTER M. STUFFY
MMC, USN

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 5

HOURS: .5

TITLE: SEARCH AND SEIZURE/APPREHENSION AND RESTRAINT

I. Learning Objectives

- A. The student will comprehend junior officer responsibilities in the military justice system, including a familiarity with search & seizure and apprehension & restraint.
- B. The student will know the definition of the terms search and seizure.
- C. The student will know the six types of legal searches.
- D. The student will know the four types of non-search examinations.
- E. The student will comprehend the concepts and legal requirements for apprehension, custody, and restraint.

II. References and Texts

A. Instructor References:

- 1. JAG Manual
(http://neds.nebt.daps.mil/jag/5800_7c.pdf)
- 2. Manual for Courts-Martial
<http://www.jag.navy.mil/documents/mcm2000.pdf>
- 3. Naval Law, 3rd ed., Chapters 7 through 10

- B. Student text: Naval Law, 3rd ed., Chapters 7 and 10

III. Instructional Aids

- A. Chalkboard

- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- IV. Procedural and Student Activity Options
 - A. Lecture
 - B. Discussion
- V. Lesson Outline
 - A. Discuss the source of the legal rule and definitions of search and seizure, and "probable cause."
 - 1. Fourth Amendment, U.S. Constitution
 - 2. Article 31, UCMJ
 - B. Discuss the six types of searches:
 - 1. Consent searches
 - 2. Searches incident to a lawful apprehension
 - 3. Border/Customs search
 - 4. Search of government property
 - 5. Command authorized search
 - a. Neutral and detached
 - b. Probable cause
 - c. Specificity
 - d. Scope
 - 6. Exigency searches
 - C. Discuss non-search examinations:
 - 1. Inspections

2. Inventories
 3. Plain view
 4. Abandoned property
- D. Discuss consequences of illegal searches and seizures, "fruit of the poisoned tree."
- E. Discuss treatment/handling of contraband discovered in legal searches/non-search examinations.
- F. Discuss the legal concept of apprehension: Include who, where, and when.
- G. Discuss the legal definition and ramifications of custody.
- H. Discuss the concept of pretrial restraint.
1. Types.
 2. Those who are subject to pretrial restraint.
 3. Circumstances under which pretrial restraint is imposed.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 6A

HOURS: .5

TITLE: NAVY DIRECTIVES, PUBLICATIONS, AND CORRESPONDENCE

I. Learning Objectives

- A. The student will know the purpose of the Navy Directives System.
- B. The student will know the difference between instructions and notices.
- C. The student will know the numbering and identification system used with Navy directives.
- D. The student will know the correct procedures for writing Navy directives.
- E. The student will know the basic information found in the Naval Tactical Publication (NTP), Naval Warfare Publication (NWP), and the Allied Tactical Publication (ATP).
- F. The student will know how to locate useful information from naval publications.
- G. The student will know the correct format, usage, and general rules pertaining to the naval letter, business letter, memorandum, and naval message.
- H. The student will know how to draft a naval message using proper procedures and correct format.
- I. The student will know (describe) the requirements and procedures for proper handling and disclosure of classified material, consequences for inadvertent disclosure, and the consequences for a violation of the espionage law.

1. Maintaining security over classified material, including security for avoiding technology transfer.
 2. Disclosure (clearance and need to know).
 3. The basic security classifications and the handling and need-to-know requirements for each.
- J. The student will know the governing documents for Navy correspondence.
- K. The student will demonstrate the characteristics of effective communication.

II. References and Texts

A. Instructor References:

1. DPSINST.1 (Series), "Consolidated Subject Index"
2. Naval Institute Guide to Naval Writing.
3. NTP 3 Annex C, "Message Format"
4. NWP OP, Naval Warfare Documentation Guide
5. WP 9, The Commander's Handbook on the Law of Naval Operations
6. SECNAVINST 5210.11 (Series), "SSIC Manual"
7. SECNAVINST 5215.1 (Series), "Directives Issuance System"
8. SECNAVINST 5216.5 (Series), "DON Correspondence Manual"
9. SECNAVINST 5510.36, "Information Security Program"
10. Naval Officer's Guide, 11th ed., Chapter 10

- B. Student Text: Naval Officer's Guide, 11th ed., Chapter 10

III. Instructional Aids

- A. Chalkboard
- B. Overhead projector
- C. Instructor-prepared transparencies of various types of correspondence from the Department of the Navy Correspondence Manual are recommended.
- D. Publication and correspondence applications are available in Senior Seminar Lesson 6B.

IV. Instructor Notes

- A. Method options: Lecture
- B. Procedural and student activity options
 - 1. A suggested way to begin this lesson is to:
 - a. Present a lecture on the Navy Directives System and briefly discuss Navy publications.
 - b. Present a lecture on the naval correspondence system using examples of naval correspondence photocopied from the Department of the Navy Correspondence Manual, SECNAVINST 5216.5 (Series).
 - c. Relate requirements and procedures for proper handling and disclosure of classified material.
 - d. Have the students complete the Directives and Correspondence Applications of Senior Seminar Lesson 6B.
 - 2. The exercise may be done in class or as a homework assignment and then discussed in

class. Publications should be brought to class for student familiarization.

3. The instructor should also describe and emphasize security requirements and procedures.
4. Instructors may want to consider reviewing the homework and applications of Senior Seminar Lesson 6B for a few minutes in the next classroom session, to answer questions that arise during the course of completing the applications.

V. Lesson Outline

A. Navy directives system

1. Two types of directives
 - a. Notices
 - (1) Effective date
 - (2) Cancellation
 - b. Instructions
 - (1) Effective date
 - (2) Cancellation
2. Numbering system
 - a. Standard Subject Identification Codes (SSIC)
 - b. Notices and instructions numbered in same manner
 - c. Each command issues a numerical list of effective instructions (command designation NOTE 5215)
3. Importance of knowing how to use directives system to locate needed information

B. Publications

1. Distribute for student review:
 - a. Instructions
 - b. Notices
 - c. MILPERS Manual
 - d. Joint Travel Regulations (JTR)
 - e. DPSINST 5215.1 (Consolidated Subject Index)
 - f. Other publications available in the command
2. Discuss the basic information found in the following publications:
 - a. Naval Tactical Publications (NTP)
 - b. Naval Warfare Publications (NWP)
 - c. Allied Tactical Publications (ATP)
3. Demonstrate how to make changes to publications.
4. Conduct/Discuss publication exercise.
 - a. Have publications required for exercise on hand in class in order to familiarize students with them.
 - b. Allow some class time for supervised work in publications. Practical exercises are strongly suggested in this lesson due to the complexity and diversity of the Navy publications system.

C. Types and uses of naval correspondence

1. Naval letter
 2. Business letter
 3. Memorandum
 4. Naval message
- D. Selection criteria
1. Destinations
 2. Purpose
 3. Degree of urgency
- E. Characteristics of the naval letter
1. Basic format
 - a. Identification group
 - (1) Drafter's code
 - (2) File number
 - (3) Serial number
 - (4) Date
 - b. Heading
 - (1) From line
 - (2) To line
 - (3) Via line
 - (4) Subject line
 - (5) Reference line
 - (6) Enclosure line
 - c. Body

- (1) Text
 - (2) Paragraphing
 - d. Ending
 - (1) Signature
 - (2) Copy to line
 - 2. Endorsement
- F. Business letter
 - 1. Purpose
 - 2. Format
- G. Memorandum
 - 1. Purpose
 - 2. Format
- H. Naval message (revised effective 1 May 1990)
 - 1. Purpose
 - 2. Types
 - a. Administrative
 - b. Operational
 - 3. Classification and handling
 - 4. Procedures
 - 5. Format (NTP-3 Annex C). (Recommend making a transparency which shows the format.)
 - 6. Drafting and releasing authority
- I. Security

1. Maintaining security over classified material including security for avoiding technology transfer
 - a. Definition of security
 - b. Responsibility
 2. Classification categories (and handling requirements)
 3. Control of personnel access (clearance and need to know)
 4. Storage requirements
 5. Transmission security
 6. Declassification procedures
 7. Consequences for inadvertent disclosure
 8. Consequences for violation of espionage laws.
- J. Ensure students are clear on which items in Senior Seminar Lesson 6B they are required to complete.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 6B

HOURS: .5

**TITLE: JUNIOR OFFICER DIRECTIVES AND COMMUNICATIONS
APPLICATION**

I. Learning Objectives

- A. The student will apply correct procedures/basic rules of drafting various types of naval correspondence.
- B. The student will demonstrate the use of proper procedures and format by drafting a naval message.
- C. The student will demonstrate the ability to locate useful information from naval publications.
- D. The student will comprehend the proper techniques of military instruction.
- E. The student will demonstrate the characteristics of confident, effective oral communications while conducting a period of instruction.

II. References and Texts

A. Instructor References:

- 1. Naval Institute Guide to Naval Writing
- 2. Division Officer's Guide, 10th ed., Chapter 10
- 3. NTP-3, Annex C, "Naval Message Format"
- 4. SECNAVINST 5216.5 (Series), "DON Correspondence Manual"

B. Student Text: None

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. Correspondence exercise

IV. Suggested Methods and Procedures

- A. Method options
 - 1. Exercise
 - 2. Discussion
- B. Procedural and student activity options: This exercise may be completed at home or in class depending on the availability of time to the instructor.
- C. Marines need to learn the Techniques of Military Instruction. Having the Marine Options Seniors use the TMI approach to teach some of their classes will help them learn this method of teaching more efficiently. The TMI methods are at the end of this lesson.

V. Lesson Outline

- A. Conduct exercise
- B. Discuss exercise

DIRECTIVES/PUBLICATIONS PRACTICAL EXERCISE

For the following questions, find the answer and cite the reference title and page number. There may be more than one correct reference in some cases.

1. What are the eligibility requirements for enlisted desiring to reenlist under the Selected Conversion and Reenlistment (SCORE) Program?

Reference Answer: MILPERSMAN 1060010 or Retention Team Manual

2. T or F: An officer may wear a reefer with the summer white uniform.

Reference Answer: U.S. Navy Uniform Regulations

3. An instruction with a Standard Subject Identification Code (SSIC) of 1611 would cover the subject of _____.

Reference Answer: SECNAVINST 5210.11 (Series) (SSIC Manual)

4. You are assigned to stand watch as the officer of the deck (under instruction). Where would you look to find the duties and responsibilities of an OOD?

Reference Answer: OPNAVINST 3120.32 (Series) (SORN)

5. Where would you look to find the CNO's directives on alcohol and drug abuse prevention and control?

Reference Answer: Consolidated Subject Index, DPSINST 5215.1 (Series) - OPNAVINST 5350.4 (Series)

CORRESPONDENCE ASSIGNMENTS

#1 NAVAL LETTER: Your ship, USS BELLEAU WOOD (LHA-3), is scheduled to visit New York City, 3-7 July. Your commanding officer, CAPT D. L. Jones, has asked you, as Special Services Officer, to write to the Naval Support Facility, Brooklyn, New York, requesting information on what services will be available to the crew, such as USO facilities, discounts on baseball tickets, etc.

#2 BUSINESS LETTER: One of your collateral duties is Public Affairs Officer. Your ship, USS CONSTANT (MSO-437), will be visiting Portland, Oregon, during the week of 10-16 April. Mr. Joseph Perkins, Scoutmaster of Boy Scout Troop 98, has written requesting a tour of the ship for his troop. The Captain asks you to take care of it. Determine the best time and draft the reply to Mr. Perkins.

#3 MEMORANDUM: As Special Services Officer aboard the USS SPRUANCE (DD-963), you are responsible for the administration of the Divisional Softball League. Draft a memorandum to all division officers requesting that they send their team captain to a meeting in the Operations Department office at 1400 on 2 June.

#4 NAVAL MESSAGE: Assume you wrote the above letter (Assignment #1) and gave it to the ship's yeoman, YN3 Often M. Late. On 20 June, the day before your ship leaves port, you discover that your letter has not been mailed. Draft a naval message requesting the above information and request that a representative from the Naval Support Facility meet you upon arrival in New York.

SAMPLE NAVAL LETTER

LHA-3/DKP:wmo
11000
Ser 999
15 June 2002

From: Commanding Officer, USS BELLEAU WOOD (LHA-3)
To: Commanding Officer, Naval Support Facility,
Brooklyn, NY 12345

Subj: UPCOMING NYC PORT VISIT

1. The USS BELLEAU WOOD (LHA-3) will arrive in New York City on 3 July 2002 for a four-day port visit.
2. Request you send any available information relating to crew's services, such as USO facilities, discounts on baseball tickets, etc.

MUCH C. TIME
By direction

SAMPLE BUSINESS LETTER

USS CONSTANT (MSO-437)
FPO San Francisco 96601
1 April 2002

Mr. Joseph Perkins
1 Main Street
Portland, OR 13579

Dear Mr. Perkins:

Thank you for your letter requesting a tour of the CONSTANT. As a former Eagle Scout, it is always a pleasure to hear from fellow Scouters.

A tour of the Constant has been arranged for your troop for April 12th at 1:00 p.m. Ensign Morgan, our Public Affairs Officer, will meet you at Pier 20 at 12:45 p.m. and conduct the tour, including a snack in the crew's mess.

We are looking forward to seeing you and the Scouts of Troop 378 on the twelfth.

Sincerely,

D. L. JONES
Captain, U.S. Navy
Commanding Officer

SAMPLE MEMORANDUM

28 May 2002

MEMORANDUM

From: Special Services Officer
To: All Division Officers

Subj: DIVISIONAL SOFTBALL LEAGUE

1. An organizational meeting for this year's Divisional Softball League will be held in the Operations Department Office on 2 June at 1400.
2. Request you send your team captain to this meeting.

X. Y. ZEE

SAMPLE NAVAL MESSAGE

R 211434Z JUN 02 ZYB MIN PSN 839907J36
FM USS BELLEAU WOOD (LHA-3) //PAO/SS/N1//
TO NAVSUPFAC BROOKLYN NY//CO/PAO/USO//
BT
UNCLAS //N05000//
MSGID/GENADMIN/N1//
SUBJ/SHIP VISIT NYC PORT-REQUEST FOR INFORMTION (RFI)
REF/A/DOC/SHIP SCHED/-//
AMPN/REF A PROVIDES SHIP SCHEDULE AND OPERATIONAL TASKING.//
RMKS/1. USS BELLEAU WOOD (LHA-3) AND CREW WILL BE ARRIVING FOR PORT
VISIT AT APPROXIMATELY 1000Z HOURS ON 3 JULY 2002 AND WILL REMAIN IN
PORT UNTIL APPROXIMATELY 0700Z HOURS 7 JULY TO PARTICIPATE IN
INDEPENDENCE DAY ACTIVITIES IN SUPPORT OF THE CITY OF NEW YORK AND FOR
CREW LIBERTY.
2. REQUEST REPRESENTATIVE FROM NAVAL SUPPORT FACILITY MEET SHIP UPON
ARRIVAL ON 3 JULY 2002.
3. ALSO REQUEST USO PROVIDE INFORMATION TO SHIP RELATING TO CREW'S
SERVICES AVAILABLE AT PORT FACILITY AND SERVICING USO ESTABLISHMENT.
REQUEST EMPHASIS ON USO FACILITIES AVAILABLE, DISCOUNTS FOR BASEBALL
TICKETS, AND OTHER MORALE-RELATED OPPORTUNITIES FOR SHIP'S CREW.
4. POC FOR THIS MESSAGE IS LT. MUCH C. TIME, USNA SPECIAL SERVICES
OFFICER, AND CAN BE REACHED AT DSN 678-2631 OR COMMERCIAL (504) 678-
2631.
7. RELEASED BY ADMINISTRATIVE OFFICER LT. HARD CORE NAVY, N1//
BT
#0958
NNNN
RTD:000-000/COPIES:

Techniques of Military Instruction

- A. Introduction. One of the most important duties of an officer is to provide training and guidance to his subordinates through periods of instruction. Proper techniques of military instruction (TMI) are essential to the officer's ability to convey guidance to his subordinates in meaningful and effective terms.
- B. Keys to effective communications. Whether it be verbal or written, effective communications have five common themes: clarity, conciseness, simplicity, knowledge of the subject and enthusiasm.
 - 1. Clarity. The information being conveyed must be clear and free of confusion or mixed signals. Although clarity in verbal terms may address diction and pronunciation, it also includes the need for the message to be fully understood by the audience.
 - 2. Conciseness. In order for information to be well received, it should be brief and to the point. Verbosity muddies the message and forces the recipient to filter information to identify what is really relevant and useful.
 - 3. Simplicity. As with Napoleon's corporal who was used to determine if the order was easily understood, the message must be simple. The use of complicated words and ideas only confuses, frustrates and alienates the audience. Familiarity with an audience's background, intellect and personality can assist a speaker in providing his information in discernible terms while not insulting the audience by talking down to them.
 - 4. Knowledge of the subject. A working knowledge of the subject to be taught or discussed is essential to effective communications. This includes a thorough knowledge of the language of the profession. Simultaneously, the use of military jargon should be avoided when addressing civilian audiences.

5. Enthusiasm. A speaker who succeeds in all of the above areas but yet exhibits no enthusiasm in his address will quickly cause his audience to lose interest. If the speaker is not interested, why should the audience express any interest? Simultaneously, false enthusiasm exhibited for theatrical purposes can serve to alienate an audience, also. Enthusiasm simply boils down expressing a sincere interest in the topic and sharing that enthusiasm with the audience.
- C. Techniques of military instruction. Preparation is the key to delivering an effective lecture or class. Development of a detailed outline assists the instructor in identifying what it is that he wants to accomplish in the class and how he wants to convey the message to the audience. Thorough rehearsals allow the instructor to fine tune his presentation.
1. Constructing learning objectives. Learning objectives must be specific and testable. The objectives must address what behavior is expected, under what conditions, and to what standard. Ideally, learning objectives identify the purpose and objective of the class.
 2. Teaching method. The instructor must decide what method he will use to teach the class (i.e., lecture, discussion group, panel discussion, guest lecturer or practical application). The method will vary with the subject, instructor and audience the instructor is trying to reach.
 3. Selecting media options. Visual conveyance of the message assists the student in understanding the message. Media options include videos, slides, graphics, transparencies, etc. These items must be of good quality, so they can assist in getting the message across vice serving as a distraction.
 4. Producing the detailed outline. The detailed outline serves first as a very specific guide for the instructor. Another Marine should be able to give the class from your outline. The detailed

outline contains the purpose, learning objectives, transitions, main body and summary for the class.

5. Conducting rehearsals. Frequent and productive rehearsals allow the instructor to become familiar with the material, estimate the time required for the class, check all equipment for proper functioning and ensure that he is physically prepared for the class.
- D. Summary. Recommend that MOIs task students to present a period of instruction on a topic that the MOI assigns or the student selects. Students should be given specific guidance on the parameters by which the MOI will evaluate the presentation. The attached checklist is an adaptation of the TMI checklist used by The Basic School in handout B0639.

TECHNIQUE OF MILITARY INSTRUCTION CHECKLIST

I. INTRODUCTION

- A. Uses an attention gainer related to the topic which motivates students to remain attentive.
- B. Clearly states the purpose of the class.
- C. Students made aware of the learning objectives.

II. TRANSITION. Uses an effective transition between the introduction and the body.

III. BODY

- A. Uses a detailed outline which supports the presentation.
- B. Main ideas presented in the same sequence as learning objectives, following the detailed outline, without reading the notes verbatim.
- C. Uses transitions to move smoothly from one topic to the next.
- D. Demonstrates knowledge of the subject, appears confident and at ease in the classroom environment.
- E. Media is appropriate for the subject and of good quality.
- F. Presentation remains within prescribed time limits while meeting learning objectives.

IV. SUMMARY

- A. Review reemphasizes main points, concentrating on learning objectives.
- B. Remotivates students toward the subject in a concise manner, without repeating introduction.

- C. Allows time for questions and answers those questions completely and accurately.
- V. VOICE/MANNERISMS/CHARACTERISTICS
 - A. Appearance.
 - B. Posture, movements and gestures.
 - C. Eye contact.
 - D. Confidence, even while facing unforeseen problems.
 - E. Enthusiasm.
 - F. Voice.
 - G. Articulation to include the use of pet words.

**NAVAL RESERVE OFFICER TRAINING CORPS
NAVAL SCIENCE LABORATORY**

Senior Seminar Lesson: 7

HOURS: .5

**TITLE: DEPARTMENT OF THE NAVY (DON) POLICY ON PREGNANCY
AND SINGLE PARENTING**

I. Learning Objectives

- A. The student will comprehend the provisions of the official policies regarding pregnancy and single parenting.
- B. The student will comprehend the command responsibilities for the management of pregnant servicewomen/midshipmen.
- C. The student will comprehend the pregnant servicewoman's/midshipman's own responsibilities.
- D. The student will comprehend NROTC program policies regarding pregnancy and single parenting.

II. References and Texts

A. Instructor References:

- 1. CNETINST 1533.12 (series), "Regulations for the Administration and Management of the NROTC Program," Articles 306j and 312
(<https://pennnd09.cnet.navy.mil/directives/directives.nsf>)
- 2. MILPERSMAN 1740-020, "Information Concerning Pregnant Members"
(https://buperscd.technology.navy.mil/bup_updt/upd_CD/BUPERS/MILPERS/MilpersmanPDF_TOC.htm)
- 3. NROTC Administrative Manual (NAM), Section 6.5d
- 4. OPNAVINST 6000.1 (series), "Management of Pregnant Servicewomen"
(<http://neds.nebt.daps.mil/Directives/dirindex.html>)

5. SECNAVINST 1000.10, "Department of the Navy (DON) Policy on Pregnancy"
(<http://neds.nebt.daps.mil/Directives/dirindex.html>)
6. NAVEDTRA 12967, Useful Information for the Newly Commissioned Officer, prepared by LCDR Gerald D. Medders, 1990 ed., was previously available as a reference for this course. This document is no longer being published; however, if your unit still has copies of this publication, it will be very useful in succinctly explaining this policy, as well as many other Navy policies.

B. Student Texts: None

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options: Lecture/Class discussion
- B. Procedural and student activities: All students should participate in classroom discussion.

V. Lesson Outline

- A. Provide Department of the Navy Policy on pregnancy and single parenting.
 1. Establish the difference between "fleet" applicability and NROTC program applicability.
 2. Outline the command responsibilities in the fleet.
 3. Discuss the fact that Navy policies regarding single parenting require evidence of a member's capability to care for children and perform assigned duties.

4. Discuss Navy support programs: On-base day care, Navy family support program, etc.
- B. Discuss NROTC policies regarding pregnancy and single parenting.
1. Applicants who are pregnant cannot be accepted into the NROTC Program.
 2. Midshipmen who become pregnant may be retained provided the required level of performance is maintained. The duration of active participation is based upon the attending doctor's recommendation.
 3. Students who are unable to satisfactorily perform program requirements may request LOA. (All financial assistance stops.)
 4. Students who become pregnant may request to terminate their enrollment in the program for hardship reasons. (An attending physician must confirm pregnancy.)
 5. Students desiring to continue are placed on LOA and, after termination of the pregnancy, must be medically cleared by BUMED before being removed from LOA. At that time, all benefits "lost" will be retroactively paid back to the student.
 6. There are no restrictions on the enrollment of single parents; however, any single parent who has custody of dependent children must present a complete statement of dependent care arrangements which allows for full attention to service responsibilities during initial training periods and subsequent duty assignments. Single parents must be advised that individuals accepted for naval service are required to maintain a high degree of commitment to professional responsibilities and that exemptions from personnel policies or preferential treatment for duty assignments should not be expected.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 8

HOURS: .5

**TITLE: DRUG AND ALCOHOL ABUSE AND RELATED PROGRAMS AND
POLICIES**

1. Learning Objectives

- A. The student will comprehend current Navy or Marine Corps regulations, policies, and programs concerning substance and alcohol abuse, preventive treatment, and urinalysis and blood testing programs.
- B. The student will know the components of a successful substance abuse program.
- C. The student will know the responsibilities of the division officer/company grade officer in the Navy or Marine Corps Drug and Alcohol Abuse Prevention and Control Program (NADAP).
- D. The student will know methods of detection, identification, and prevention of drug and alcohol abuse and of intervention with abusers.
- E. The student will know the Navy/Marine Corps' drug and alcohol abuse treatment and rehabilitation programs.
- F. The student will know the disciplinary measures against and consequences of substance abuse.

II. References and Texts

A. Instructor References:

- 1. MCO P5300.12, "Marine Corps Substance Abuse Program"
- 2. OPNAVINST 5350.4 (Series), "Alcohol and Drug Abuse Prevention and Control"

3. SECNAVINST 5300.28 (Series), "Military Substance Abuse Prevention and Control"
4. ALMAR 246/92, "Marine Corps Separation Policy for Drug Offenders"
5. Naval Officer's Guide, pp. 22-28
6. NAVEDTRA 12967, Useful Information for the Newly Commissioned Officer, prepared by LCDR Gerald D. Medders, 1990 ed., was previously available as a reference for this course. This document is no longer being published; however, if your unit still has copies of this publication, it will be very useful in succinctly explaining this policy, as well as many other Navy policies.

B. Student Text: Naval Officer's Guide, pp. 22-28

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. Photos/posters obtained from local police units or military police commands

IV. Suggested Methods and Procedures

- A. Method options
 1. Lecture
 2. Discussion
- B. Procedural and student activity options
 1. Guest speakers from local military activity drug/alcohol program offices or professionals from community/university programs
 2. Participate in lecture/discussion

V. Lesson Outline

A. Nature of the problem

1. Naval personnel reflect societal trends and patterns
2. Drugs/Alcohol adversely impact individual/organizational health, performance, reliability, quality of life, etc.
3. Causes a significant loss to the Navy in productivity and training costs

B. Division officer responsibilities

1. Exercise positive leadership.
 - a. Educate and motivate subordinates to reject drug and alcohol abuse.
 - b. Observe subordinates for signs of drug and alcohol abuse.
 - c. Set a positive personal example.
2. Support Navy drug and alcohol abuse programs.
3. Report offenders.
4. Help rehabilitate abusers to become productive members again.

C. Identification/Detection

1. Searches
2. Inspections
3. Competence for duty examinations
4. Security and law enforcement involvement
5. Random urinalysis program/urinalysis follow-on monitoring

6. Voluntary self-referral for rehabilitation
 7. Safety check points for DUI
 8. Drug dogs
 9. Behavioral or work performance changes
- D. Consequences
1. Reduced job performance
 2. Loss of driving privileges
 3. Criminal charges under UCMJ
 4. Loss of clearance/access
 5. Removal from nuclear power community
 6. Discharge
 - a. All first time drug offenders, regardless of enlisted or officer pay grade, will, at a minimum, be processed for discharge from the Navy.
 - b. Drug offenders diagnosed as drug dependent are eligible for drug rehabilitation through the Naval Alcohol Rehabilitation Centers prior to discharge.
 7. Significant civil penalties, fines, legal costs
- E. Prevention and rehabilitation
1. Local command programs (Level I) Drug and Alcohol Programs Advisor (DAPA)
 - a. Required at all commands.
 - b. Advises CO on programs.

- c. Administratively screens members for referral.
 - d. Can grant immunity for self-referrals (only for alcohol).
2. Personal Responsibility and Values Education and Training (PREVENT) and ALCOHOL-AWARE through the DAPA. ALCOHOL-IMPACT is available through CAAC. These programs attempt to prevent the development of drug and alcohol problems. ALCOHOL-IMPACT and ALCOHOL-AWARE are two new educational courses which are now available on a limited bases.
- a. ALCOHOL-IMPACT is a 20-hour Level I intervention course. It is normally delivered during off-duty hours. IMPACT is available at the Outreach and Prevention Departments of NAVALREHCEN Jacksonville, Miramar, and Norfolk, as well as some Counseling and Assistance Centers (CAAC) and some Marine Corps sites. IMPACT is the preferred educational intervention for Level I where it is available. Where it is not available, the PREVENT course may be used. While IMPACT is an excellent intervention tool, it cannot substitute for state-required DWI courses unless states or local jurisdictions allow the substitution. All certified Navy drug and alcohol counselors are authorized to deliver IMPACT. For information about IMPACT services or for CAACs and Alcohol Rehabilitation Departments (ARD) which desire to deliver IMPACT, contact the nearest NAVALREHCEN Outreach and

Prevention Department or BUPERS at
DSN 224-8008.

- b. ALCOHOL-AWARE is a short (four-hour) prevention course that is also available at the NAVALREHCENS and some CAACs. Navy drug and alcohol counselors, Alcohol and Drug Abuse Managers/Supervisors (ADAMS) facilitators and Level I Program Management (LPM) course graduates are authorized to deliver AWARE. While ALCOHOL-AWARE cannot substitute for the longer PREVENT Course, it does provide a focused and effective short prevention education course especially for those commands at which PREVENT is not available or only available on a limited basis. For more information about AWARE services or for commands who are interested in setting up their own ALCOHOL-AWARE program, contact the nearest NAVALREHCEN Outreach and Prevention Department or BUPERS at DSN 224-8008.

3. Navy Family Counseling and Assistance Centers (CAAC) usually have a variety of programs to assist with substance abuse issues. Level II program substance abuse programs are usually located at most naval installations.

- a. Clinical screening by qualified counselors
- b. Therapeutic counseling
- c. Referral to other programs
- d. Outreach assistance
- e. Education

4. Residential Rehabilitation Programs - Level III programs for those diagnosed as alcohol dependent (also see D.6.b. above.)

5. Alcohol and Drug Abuse Managers/Supervisors (ADAMS) Training
 - a. ADAMS Managers Training: The ADAMS managers training is designed to provide unit commanders, commanding officers, officers in charge, executive officers, command master chiefs, and others in management positions the information required to develop and evaluate effective command programs. The ADAMS Managers training meets the requirement for training mandated by OPNAVINST 5350.4B. The half-day session is delivered by Naval Alcohol Rehabilitation Center (NAVALREHCEN) training departments in Jacksonville, Miramar, and Norfolk, and by selected facilitators usually located at the Counseling and Assistance Centers (CAACs). Training dates and sites are provided in the annual BUPERSNOTE 5355.
 - b. ADAMS Supervisors Training: The ADAMS supervisors one-day training is designed to provide Navy supervisors with the skills and knowledge to prevent abuse, observe individuals under their supervision and document evidence of substandard performance or misconduct, which often indicates drug or alcohol abuse problems, refer those individuals to the appropriate level of assistance, and fulfill their aftercare responsibilities. The training is delivered by the training departments of Naval Alcohol Rehabilitation Centers (NAVALREHCEN) and selected local, trained facilitators. While OPNAVINST 5350.4B mandates the training for all supervisory personnel E7 and above, E5 and E6 personnel who serve as supervisors and civilians who supervise Navy military personnel should be strongly encouraged to attend.

F. Marine Corps policies

1. Alcohol abuse

- a. Policy: "Alcohol abuse is contrary to the effective performance of Marines and to the Marine Corps mission, and will not be tolerated in the United States Marine Corps" (MCO P5300.12).
- b. Objective: To identify, treat, and return alcoholics to full duty and to eliminate alcohol abuse, wherever possible.

2. Illegal drug use policy: "The United States Marine Corps will not tolerate the possession, use, or distribution of illegal drugs and believes a drug-free environment is essential to mission accomplishment." Accordingly, policy is established to:

- a. Prevent and eliminate use of illegal drugs in the Marine Corps
- b. Ensure every Marine understands the important role they have in the defense of our Nation, and the serious negative impact on physical and mental well being of use/abuse of marijuana, narcotics, and other controlled substances that render a Marine unreliable, unfit for duty, and a risk to the safety of fellow Marines (MCO P5300.12).

3. Components of a successful substance abuse program include: **Leadership, education, prevention, identification, rehabilitation, and discipline.**

G. Leadership responsibilities

1. Exercise positive leadership.

- a. Educate and motivate subordinates to reject substance abuse and report substance abuse violations.
 - b. Observe subordinates for signs of substance abuse.
 - c. Set a positive personal example.
 - 2. Support Navy and Marine Corps substance abuse programs.
 - 3. Create or foster a negative peer pressure toward substance abuse or unit tolerance of policy violators.
 - 4. Counsel and report offenders.
 - 5. Help rehabilitate abusers to again become productive members in the division or platoon.
- H. Education
- 1. Must be continuous, comprehensive and involve all unit leaders.
 - 2. Required at recruit training, OCS, and all commands.
 - 3. Impress upon your Sailors and Marines that substance abuse endangers the lives of fellow service men and women.
- I. Prevention: The most cost effective method of dealing with a problem is to prevent it from occurring. Navy and Marine Corps policy directs proactive (preventative) substance abuse measures which may include:
- 1. Promoting an attitude of overall responsibility on the part of the individual.
 - 2. Dispel long-standing perception that a "hard-drinking" Sailor or Marine equates to a "hard-charging" Sailor or Marine.

3. Avoid the promotion of alcohol.
 4. Cooperation with local community/civic substance abuse programs.
 5. Education. Education. Education.
- J. Identification/Detection
1. Searches
 2. Inspections
 3. Security and law enforcement involvement
 4. Urinalysis testing
 5. Voluntary self-referral for rehabilitation.
(NOTE: Self-referral normally applies to alcohol abuse. The voluntary drug exemption programs do not exist. For Marines, ALMAR 246/92 directed that "all Marines, regardless of pay grade, confirmed as having used or possessed illegal drugs will be processed for administrative separation for misconduct...")
 6. Safety check points for DUI/DWI
 7. Drug dogs
 8. Behavioral or work performance changes
- K. Rehabilitation
1. Unit programs (Level I): Conducted generally at all units or major commands
 - a. Required at all commands.
 - b. Substance Abuse Control Officer (SACO) coordinates efforts and education programs.
 - c. Advises CO on programs.

- d. Administratively screens Sailors and Marines for referral.
- 2. Major command programs (Level II):
Conducted at ship, battalion, squadron, wing, group, FSSG, and base level to provide:
 - a. In-depth screening for alcohol dependency by school-trained substance abuse counselors.
 - b. Short term (30 days) treatment for Marines who require treatment above Level I.
 - c. Training for Level 1 SACOs.
 - d. Aftercare services for Sailors or Marines who have completed Level II/III treatment.
- 3. Navy residential treatment programs (Level III): Conducted at Navy Alcohol Rehabilitation Services (ARS) for those Sailors and Marines who are diagnosed as alcohol dependent.
- L. Discipline/Consequences of substance abuse
 - 1. Reduced job performance and ability to accomplish the mission.
 - 2. Loss of driving privileges.
 - 3. Criminal charges under the UCMJ.
 - 4. Loss of clearance/access.
 - 5. Discharge:
 - a. All first time drug offenders will be discharged from the Marine Corps.

- b. Discharged Marines are eligible for drug rehabilitation through the VA hospitals.
- 6. Significant civil penalties, fines, legal costs.
- 7. Significant medical problems/illnesses.
- 8. Increased family/interpersonal relationship problems.
- 9. Financial difficulties.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 9A

HOURS: 1

**TITLE: INTRODUCTION TO PERSONAL FINANCIAL MANAGEMENT (PFM) ;
NAVY PAY AND ALLOWANCES**

I. Learning Objectives

- A. The student will know the concepts of the Personal Financial Management (PFM) program in the U.S. Navy and the components of the Personal Financial Management Officer Training Program.
- B. The student will know the components of the officer personal financial management-training program.
- C. The student will know the elements of military pay, allowances, and allotments, including taxes and insurance.
- D. The student will know various military benefits, including medical, recreational, and death benefits/wills.
- E. The student will know the basic components of the Navy pay system.
- F. The student will be able to comprehend the LES.

II. References and Texts

A. Instructor References:

- 1. Armed Forces Guide to Personal Financial Planning
- 2. Uniformed Services Almanac
- 3. OPNAVINST 1740.5 (Series), "Personal Financial Management Education, Training, and Counseling Program"

4. SECNAVINST 1850.4 (Series), "Department of the Navy Disability Evaluation"

- B. Student Text: Uniformed Services Almanac

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. United Services Automobile Association Educational Foundation materials. Contact a Military Affairs Representative at 1-800-531-8722, ext. 55571, or visit www.usaaedfoundation.org for more information.
- D. Both the Navy and Marines can provide financial planning guides and self-paced course materials to assist with more detailed training as desired. For Navy materials, contact CNET at www.cnet.navy.mil; for Marine materials, contact the Marine Corps Institute at 1-800-MCI-USMC.
- E. Navy-Marine Corps Relief Society Handbook and pamphlets can be acquired from your local NMCR organization. Please consult the nearest Navy-Marine Corps Relief Society or contact the CNET NMCRS representative.

IV. Suggested Methods and Procedures

- A. Method options
 1. Lecture
 2. Discussion
 3. Guest instructors are available from various institutions. At the printing of this curriculum guide, services were being provided by USAA and MBNA Education Foundations. These foundations do not solicit clients or patrons, but instead provide a service to military service

members free of charge. The classes they teach are thorough, up-to-date, interesting for the students, and can be tailored to your school or audience. Contact these or other institutions to see if they have a service available. These personnel are professionals in this business and can teach much of this material for you while you focus efforts on other areas.

- B. Assistance from the servicing Personnel Support Activity Detachment (PSD) may also be helpful in accomplishing this lesson.

V. Lesson Outline

A. Personal financial management

1. Historical perspective

- a. Increase in the number of service people experiencing indebtedness, loss of credit and bankruptcy.
- b. Need to provide training and counseling to personnel in the areas of budgeting, planned spending, and money management.
- c. Navy-wide Personal Financial Management (PFM) education, training, and counseling program as defined in OPNAVINST 1740.5 (Series).
- d. Goal is to provide all people with sound and responsible money management skills, knowledge, and consumer awareness.

2. Components of PFM Training

- a. Education: At accession points, follow-on training sites, and command training evolutions

- b. Information provided through LES notes, Navy formation media articles, and handouts
- c. Counseling
 - (1) At the division level
 - (2) Command Financial Specialist

B. Necessity for PFM training

- 1. Poor management of personal finances can have a serious negative effect on unit readiness, individual morale, and quality of life.
- 2. Available data reveals that a substantial percentage of Navy personnel experience some type of financial difficulty at one or more times in their career.
- 3. Impact of these problems
 - a. Serious financial problems may lead to poor performance.
 - b. Administrative burden.
 - c. Negative impact on performance and retention.

C. Officer PFM training components and responsibilities

- 1. Officer PFM Program training provides financial management information and awareness for officers entering the fleet
- 2. The officer will be prepared to:
 - a. Monitor PFM training.
 - b. Provide refresher and additional PFM training to personnel experiencing financial difficulties.

- c. Administer PFM counseling.
 - d. Recognize PFM situations that are severe or complex and make appropriate counseling referrals.
- D. Navy pay, allowances, and benefits
 - 1. Military pay (Taxable Income)
 - a. Basic pay
 - b. Special pay
 - (1) Sea pay
 - (2) Submarine pay
 - (3) Aviation Career Incentive Pay (ACIP)
 - (4) Hazardous duty incentive pay
 - (5) Other
 - (a) Proficiency pay
 - (b) Professional pay for health care professionals
 - (c) Foreign duty pay
 - (d) Hostile fire pay
 - (e) Imminent danger pay
 - (f) Diving duty pay
 - c. Basis for increase in base and special pay
 - (1) Annual increases
 - (2) Accumulated time in specific duty status

- (3) Change in duty status
- 2. Military allowances (non-taxable)
 - a. Basic Allowance for Quarters (BAQ)
 - b. Variable Housing Allowance (VHA)
 - c. Basic Allowance for Subsistence (BAS)
 - d. Family Separation Allowance (FSA)
 - e. Dislocation Allowance (DLA)
 - f. Other pay considerations
 - (1) Travel
 - (a) Transportation or mileage in lieu of transportation (MALT) and per diem
 - (b) Shipment of household effects
 - (c) Temporary Lodging Expenses (TLE)
 - (2) Advances
 - (a) Advance pay
 - (b) Advance BAQ/VHA
- 3. Allotments
 - a. General: A sailor "registers" an allotment, and the Defense Finance and Accounting Service - Cleveland Center (DFAS-Cleveland Center) automatically withholds funds from pay and directs them to the specified payees.
 - b. Examples of allotment types and codes:

- (1) Bond (B)
- (2) Charity (C)
- (3) Dependent (D)
- (4) Education allotment (E)
- (5) Home mortgage (H)
- (6) Insurance (I)
- (7) Repay loan (L)
- (8) Navy Mutual Aid Insurance (M)
- (9) National Service Life Insurance (N)
- (10) Garnishment/Bankruptcy (R)
- (11) Savings (S)
- (12) Repay indebtedness (T)

4. Other deductions from pay

- a. Serviceman's Group Life Insurance (SGLI)
- b. Federal Income Tax Withholding (FITW)
- c. Federal Insurance Contribution Act (FICA)
- d. State Income Tax Withholding (SITW)
- e. Dental - for dependents only

5. Military benefits

- a. Active duty
 - (1) Medical and dental

- (2) Travel allowances
 - (3) Base facilities: Commissary, exchange, recreation (i.e., gymnasium, golf course, bowling alley, and athletic fields)
 - b. Veterans
 - (1) Home loan guarantee
 - (2) Education
 - c. Death
 - (1) Lump sum payment
 - (2) Burial allowances
 - (3) Dependents Indemnity Compensation (DIC)
 - (4) Servicemen's Group Life Insurance (SGLI)
 - (5) Veterans assistance to dependents
 - (6) Social Security Survivors Benefits
 - (7) Wills
- 6. Three basic terms
 - a. Joint Uniform Military Pay Systems (JUMPS)
 - b. Master Military Pay Accounts (MMPA)
 - c. Leave and Earnings Statement (LES)
- 7. Understanding the LES

- a. LES issued once a month by DFAS-Cleveland Center.
- b. Disbursing reconciles last month's LES with the new LES and carries forward any entries not yet reflected on your MMPA at Cleveland.
- c. Changes to pay can be made by individual, command, and disbursing.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 9B

HOURS: 1.0

TITLE: PFM: MANAGING YOUR MONEY; CREDIT

I. Learning Objectives

- A. The student will know the three types of financial institutions.
- B. The student will know what questions to ask when considering available banking services.
- C. The student will know what a budget is.
- D. The student will comprehend why a budget is a necessary tool in personal financial management.
- E. The student will know how to prepare a budget.
- F. The student will know the importance of financial planning and how it impacts personal financial management.
- G. The student will know how to develop a financial plan.
- H. The student will know several savings and investment options.
- I. The student will know the positive and negative outcomes of using credit.
- J. The student will know the three factors that determine credit worthiness.
- K. The student will know about credit reporting agencies, how their credit history is compiled and the contents of a credit record.
- L. The student will be able to identify three laws governing credit-reporting agencies.

- M. The student will be able to identify two types of credit.
- N. The student will know the six key clauses in a consumer contract and how to cancel a consumer contract.
- O. The student will know how to shop for credit and how to establish and maintain a good credit rating.

II. References and Texts

- A. Instructor References:
 - 1. NAVPERS 15608, "Command Financial Specialist Training Manual"
 - 2. Uniformed Services Almanac
- B. Student Text: Uniformed Services Almanac

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system
- C. United Services Automobile Association Educational Foundation materials. Contact a Military Affairs Representative at 1-800-531-8722 ext. 55571, or visit www.usaaedfoundation.org for more information.
- D. Both the Navy and Marines can provide financial planning guides and self-paced course materials to assist with more detailed training as desired. For Navy materials, contact CNET at www.cnet.navy.mil; for Marine materials, contact the Marine Corps Institute at 1-800-MCI-USMC.

IV. Suggested Methods and Procedures

- A. Lecture

B. Discussion

- C. Guest instructors are available from various institutions. At the printing of this lesson guide, services were being provided by USAA and MBNA Education Foundations. These foundations do not solicit clients or patrons, but instead provide a service to military service members free of charge. The classes they teach are thorough, up-to-date, interesting for the students, and can be tailored to your school or audience. Contact these or other institutions to see if they have a service available. These personnel are professionals in this business and can teach much of this material for you while you focus efforts on other areas.

V. Lesson Outline

A. Banking

1. Types of banking institutions
 - a. Commercial banks
 - b. Credit unions
 - c. Savings and loans associations
2. Rules of thumb regarding financial institutions
 - a. Only establish accounts with federally insured financial institutions.
 - b. One person should have responsibility for making accurate checkbook entries.
 - c. Keep checkbooks balanced and current with the financial institution.
 - d. Direct deposit of pay is required.
 - e. Exercise caution when using automatic teller machines (ATMs).

B. Budgeting

1. Definition

2. Why budget?

- a. To plan for extensive needs and wants with a limited income
- b. To plan ahead for a growing family
- c. To track where money is currently going and where it should go
- d. To avoid excessive debts
- e. To get the greatest return on one's income
- f. To effectively plan for the financial future (i.e.):
 - (1) Retirement
 - (2) College education for children
 - (3) Major purchases

3. Preparing a budget

- a. Terms used in budget preparation
 - (1) Gross Income: The total amount of salary before any deductions or allotments
 - (2) Deductions: The amounts of money taken from one's pay for income tax (federal and state), social security, and other authorized deductions
 - (3) Allotments: Authorized deductions from pay

- (4) Net Income: The total amount paid after all deductions and allotments have been satisfied, often called "take-home pay"
- (5) Fixed Expenses: Expenses that are the same each month
- (6) Variable Expenses: Expenses that change from month to month, also called flexible expenses

b. Steps in budget preparation

- (1) Determine take-home pay
- (2) Assemble all data on current expenditures
 - (a) Check stubs
 - (b) Bills and paid receipts
 - (c) Intelligent estimates
- (3) Determine fixed and variable expenses
- (4) Evaluate current expenditure data
- (5) Ensure that expenditures do not exceed income
- (6) Analyze each expenditure category
- (7) Estimate future major expenditures
- (8) If expenditures exceed income, reassess position and try to realign and reduce some expenses

4. General budget guidelines: Keep a written record of household budget and expenses.

C. Financial planning

1. Importance
 - a. It provides a financial cushion for emergencies.
 - b. It meets large non-recurring expenses.
 - c. It meets specific financial goals.
 - d. It provides for a comfortable retirement income.
2. Factors to consider:
 - a. Savings/Investment goals.
 - b. Impact on the family budget.
 - c. Amount available for savings commitment.
 - d. Safety/growth potential of investment vehicles being considered.
3. General guidelines:
 - a. A sound budget (discussed earlier in this section) must be developed as the cornerstone of a financial plan.
 - b. Planning goals should be written out and include a realistic timetable. Include short-term (1 year), medium (2-5 year), and long-range goals
 - c. The plan should be reviewed and revised annually, or more often if necessary.
 - d. **Start early!**
 - e. Keep an open mind to all investment opportunities and learn as much as possible about different savings and investment vehicles.
 - f. Take positive action now. Ensure personal pay needs are met first and

save from the top of the spending plan
vice the bottom.

4. Elements of a savings/investment plan
 - a. Reserve Fund: Used to pay once-a-year expenses, such as automobile insurance, income tax, and property taxes. Establish the amount needed and divide by 12 to determine the monthly contribution
 - b. Emergency Fund: Established to provide for unforeseen problems, such as illness or death, car repairs, etc. Rule of thumb: 3 months of basic pay.
 - c. Goal-Getter Fund: Regular savings to accomplish financial goals.
 - d. Investments: Long-range contributions to provide financial security.

D. Credit

1. Constitutes borrowing money
2. Pay interest
3. It is easy for people to overspend and incur more debt than they can manage.

E. Credit Worthiness. Lenders usually look at three major factors (three C's of credit) to determine credit worthiness:

1. Capacity
2. Capital
3. Character

F. Credit reporting agencies (CRA) and credit history

1. Credit bureaus, or CRAs, are clearinghouses of information. They are basically middlemen in the distribution of credit information. They do not rate consumers or make the determination of whether they qualify for a loan.
 2. How a person's credit history is compiled. Companies that are members of CRAs send in their accounts receivables on a regular basis to show how their customers have paid on their accounts. The CRA then compiles the information in a credit report on each person. CRAs also retrieve information from public records, such as judgments, bankruptcies, etc.
 3. Contents of a credit report
- G. Laws governing credit-reporting agencies
1. Fair Credit Reporting Act
 2. Equal Credit Opportunity Act
 - a. If a person is denied credit, the creditor must notify him/her in writing within 30 days, giving either specific reasons for denial or informing the person of the right to request an explanation.
 - b. This act also requires creditors to report information to CRAs in both the husband's and wife's names on joint accounts. This makes it possible for spouses to establish a credit history in their own names.
- H. Consumer Protection Act (also known as the Truth-in Lending Act) protects consumers shopping for credit.
1. To make comparison possible, Truth-in-Lending requires that all credit cost

information must be disclosed clearly and conspicuously.

2. Truth-in-Lending does not:

- a. Regulate the cost of credit
- b. Prevent paying a higher rate of interest than necessary
- c. Guarantee all lenders will charge the same amount
- d. Prevent the lender from providing confusing or misleading additional information
- e. Require that credit disclosure information be revealed when first asked about the cost of credit only that it be revealed before legal documents for credit are signed

I. Types of credit

1. Sales credit

- a. Single payment accounts
- b. Revolving or open-end charge accounts
- c. Installment purchases or closed-end payment plans

2. Cash credit. Four types most commonly used:

- a. Personal installment loans -- signature loan or collateral loan
- b. Single payment loan
- c. Check-credit plans
- d. Cash advances

J. Consumer contracts: A document which names the

borrower and lender and the terms of the loan agreement.

1. Key clauses to look for:
 - a. Security clause
 - b. Attorney's fee clause
 - c. Repossession clause
 - d. Late fee clause
 - e. Insecurity clause
 - f. Acceleration clause
2. Canceling contracts: Generally a contract is binding on both parties and cannot be canceled by one party without the express permission of the other party.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 10

HOURS: .5

**TITLE: DIVISION ORGANIZATION, ADMINISTRATION, TRAINING, AND
INSPECTIONS**

I. Learning Objectives

- A. The student will know various demands on a division officer's time.
- B. The student will know the purpose for and typical contents of a division officer's notebook.
- C. The student will know the function of the Watch, Quarter, and Station Bill.
- D. The student will comprehend the various types of leave and liberty regulations and how leave and liberty policies pertain to division administration.
- E. The student will know the types of training available.
- F. The student will know (review) Navy safety programs and precautions, including ordnance, electrical, workplace, NAVOSH, and environmental programs.
- G. The student will comprehend the various types of inspections and their impact on unit integrity and morale.

II. References and Texts

A. Instructor References:

- 1. Division Officer's Guide, Chapters 5-11
- 2. OPNAVINST 3120.32 (Series), "Standard Organization and Regulations of the U.S. Navy" (SORN)

- B. Student Text: None

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options
 - 1. Lecture
 - 2. Discussion
- B. Procedural and student activity options: The instructor may want to show examples of actual division officer notebooks (both SNAP II-generated and traditional), as well as an example of a completed Watch, Quarter, and Station Bill.

V. Lesson Outline

- A. The instructor should begin class with a short lecture about the various demands on a division officer's time.
 - 1. Long-term (30 days or more)
 - a. Operational schedule (commitments)
 - b. Overhauls
 - c. Deployments
 - d. Refresher training
 - e. Tender/Shipyard availabilities
 - f. Major inspections
 - 2. Short-range assignments/projects

- a. Schools
 - b. Planned maintenance system (PMS)
 - c. Personnel qualification standards (PQS)
 - d. Watchstanding
 - e. Collateral duties
3. Intervening variables that require time management
- a. Personnel assigned
 - (1) Total number
 - (2) Rate, rating, and qualifications
 - b. Number assigned actually available for duty
 - (1) Mess cooks
 - (2) Leave
 - (3) Schools
 - (4) Working parties
 - (5) Watchstanders
 - (6) Personnel issues/problems
 - (a) Unauthorized absences (UAs)
 - (b) Mast cases
 - (c) Special liberty
 - (d) Disbursing/Admin problems
 - (e) Medical/Dental appointments
 - (f) Family/Marital problems

(g) Chaplain visits

(h) Drug and/or alcohol misuse

B. Division officer's notebook

1. Importance of accurate and timely entries
2. Relate to Privacy Act
3. Content (specific format and content may vary by command)
 - a. Personnel data
 - b. Training program data
 - c. Space and equipment log
 - d. Watch and battle stations requiring manning
 - e. Other useful data pertinent for orientation of a relieving division officer

C. Watch, Quarter, and Station Bill. Function:

1. Division officer's summary of assignments
2. Visible display of assignments

D. Leave and liberty

1. Describe differences
2. Must be carefully scheduled to ensure adequate manning
3. Policies may affect morale (both positively and negatively)
4. Review current Navy and Marine Corps Leave and Liberty form/chit

E. Training

1. Objectives
 - a. Battle efficiency/Unit readiness
 - b. Material maintenance
 - c. Personnel advancement
 - d. Morale
2. Responsibilities
 - a. Chain of command
 - b. Division officer. Ultimate responsibility:
 - (1) Ensures proper and appropriate training is both scheduled and conducted
 - (2) Ensures proper and accurate records are maintained
3. Types of training
 - a. General military training (GMT)
 - b. Functional training (in rate)
 - c. Team training
 - d. Individual training
 - e. Safety training: Ensure students understand the officer's role in the safety process. The officer is ultimately responsible for safety and risk management. The operational risk management process is covered in detail in Senior Seminar Lesson 12.
 - f. Schools
4. PQS

- a. Principles
- b. Administration

F. Inspections

- 1. Purpose: To evaluate and maintain efficiency, morale, and discipline, not to find fault
- 2. Types
 - a. Administrative
 - b. Operational
 - c. Material
- 3. Impact on unit integrity and morale

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 11A

HOURS: .5

TITLE: USN DIVISION OFFICER COUNSELING

I. Learning Objectives

- A. The student will know the purpose of counseling.
- B. The student will know the difference between formal and informal counseling.
- C. The student will know the counseling roles and relationships between a senior and a subordinate (directive, non-directive, collaborative).
- D. The student will demonstrate effective counseling techniques for subordinate development and career guidance, performance counseling, discipline infractions and conflict resolution.
- E. The student will know the importance of follow-on counseling.
- F. The student will demonstrate the characteristics of effective oral communications.

II. References and Texts

- A. Instructor Reference: NAVMC 2795, "Navy and Marine Corps User's Guide to Counseling"
- B. Student Text: None

III. Instructional Aids

- A. Course syllabus
- B. Chalkboard
- C. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures:

- A. Lecture
- B. Discussion
- C. Role playing
- D. Lesson 11B (USMC Company Grade Officer Counseling) is very similar in nature and intent. The Navy and Marine Corps intend to meet the same objectives with their counseling programs, but maintain minor differences in accomplishing the details of the counseling programs. Instructors may wish to compare the details of the two programs in class. This will allow the students to glean the most important aspects of each counseling program as future tools they can employ in counseling.

V. Lesson Outline

- A. Primary focus of counseling should be on managing and improving performance.
- B. Division officer must realize that he/she is not a professional counselor and must recognize when problems must be referred to others (i.e., chaplain, CAAC, family service center, financial manager, etc.).
- C. Crucial that division officer develop communication skills to be an effective counselor.
- D. Counseling of junior enlisted personnel is usually conducted by senior enlisted, unless the problem is reoccurring or of a serious nature.
- E. Different types of counseling:
 - 1. Directive: Help the individual to solve the problem with advice, information or recommendation. Should try to allow the individual to develop solutions.

2. Non-directive: Preferred method; helps individuals take the initiative to develop their own solutions. Counselor must be proficient in active listening skills.

F. Four types of counseling sessions:

1. Personal
2. Career
3. Performance
4. Disciplinary

G. Seven steps in the counseling process:

1. Prepare for the session: Observe and document behavior, gather all information for discussion.
2. Initiate the session: Schedule time and place with appropriate amount of privacy. Should always have the senior enlisted present during closed-door counseling sessions.
3. Create suitable conditions: Physical environment suits the nature of the counseling.
4. Research the situation and explore the issues: Make sure the reason for the meeting is clearly stated. Open-ended questions are helpful in gathering information from the individual. Do periodic "pulse checks" to make ensure a mutual understanding of the situation.
5. Move toward the goal of the session: Develop a plan of action and identify stumbling blocks.
6. Monitor progress and follow up: Decide who shall monitor progress. Decide on course of action if plan is not followed. Schedule

time, place and agenda for follow-on meetings.

7. Document the session: Use command counseling form, page 13 entry, if appropriate, or document in division officer notebook with memorandum for the record.

H. Guidelines for referrals:

1. Determine the nature and severity of the problem. What were the circumstances or behaviors that led to the problem, and what are the consequences?
2. Initiate the referral immediately: Either direct the person to make contact with a particular counselor or set up the appointment yourself. Division officer should contact referral source ahead of time.
3. Be factual and direct about why you are referring the person to an outside resource. Don't evaluate the severity of the problem.
4. Always include follow-up. Check to see if individual sought help. Within legal boundaries, make sure referral agency receives all pertinent information.

I. Conduct instructor-prepared role-playing scenarios based on personal experience. Allow class to critique counseling sessions.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP & ETHICS**

Senior Seminar Lesson: 11B

HOURS: .5

TITLE: USMC COMPANY GRADE OFFICER COUNSELING

I. Learning Objectives

- A. The student will know the objectives of the USMC counseling program.
- B. The student will comprehend the relationship between mission effectiveness and counseling, performance evaluation, and feedback.
- C. The student will know the frequency and steps in counseling sessions.
- D. The student will demonstrate the principal approaches and the skills required to conduct a successful counseling session.

II. References and Texts

- A. Instructor References:
 - 1. MCO 1610.12 (Series), "Counseling Program"
 - 2. NAVMC 2795, "Navy and Marine Corps User's Guide to Counseling"
- B. Student text: None

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options

1. Lecture
 2. Discussion
 3. Role playing
- B. Procedural and student activity options: Read assignment prior to class and be prepared to discuss content.
- C. Lesson 11A (USN Division Officer Counseling) is very similar in nature and intent. The Navy and Marine Corps intend to meet the same objectives with their counseling programs, but maintain minor differences in accomplishing the details of the counseling programs. Instructors may wish to compare the details of the two programs in class. This will allow the students to glean the most important aspects of each counseling program as future tools they can employ in counseling.

V. Lesson Outline

A. Introduction

1. In college, performance feedback is given through grade reports. Usually, these grades reflect the amount of effort put into a class and the student's knowledge of the subject. These grades help a student identify areas of strength and weakness, so he may modify his efforts as necessary.
2. The same is true for Marines. A Marine needs feedback on his performance in order to adjust his performance in the future. This is accomplished through the Marine Corps counseling program.

B. Objectives of the counseling program

1. To maintain counseling as an integral and continuous part of traditional Marine Corps leadership.

2. To develop counseling skills through a continuing education program that teaches the importance of daily coaching and provides the tools to conduct effective counseling.
3. To increase individual performance and productivity through counseling, and thereby increase unit readiness and effectiveness.
4. To enhance the leader's ability to improve the junior's performance.
5. To create the ethic of effective counseling in a climate of solid leadership, and provide a system to enhance that ethic. (Create and maintain the officer and enlisted Marine relationship espoused by General Lejeune.)

C. Frequency of counseling sessions

1. Initial counseling session: Conducted by the next senior Marine who is responsible for the junior. This session is in addition to the traditional "welcome aboard" meeting. The initial counseling session should be conducted within 30 days of reporting aboard. This session should be scheduled in advance and should meet the following objectives:
 - a. To make the senior's expectations clear;
 - b. To ensure that the junior understands those expectations;
 - c. To set goals or targets and make plans for the junior to meet those targets;
 - d. To convey the senior's interest and concern;
 - e. To help the junior to achieve the highest possible level of performance;

- f. To ensure the junior understands the mission and status of the unit and the junior's primary and collateral duties.

2. Follow-on sessions

- a. These sessions are designed to ensure that the junior is on track. The session should reinforce successes, attempt to correct weaknesses, and identify/analyze performance problems that have arisen since the last meeting.
- b. Follow-on sessions for Corporals through Colonels should be conducted approximately 90 days after the initial session, and subsequent sessions conducted at intervals no more than 6 months apart.
- c. Follow-on sessions for Lance Corporals and below should be conducted every 30 days by their immediate supervisor, normally an NCO.

D. Types of counseling sessions

- 1. Formal counseling. The initial and follow-on sessions are classified as formal counseling sessions. These sessions are scheduled and conducted in accordance with an agreed-upon agenda. The focus of these meetings is the junior's overall performance and goals for the next several weeks or months.
- 2. Informal counseling. These sessions can occur at any time, initiated by either party when one sees the need before the next scheduled session. Such meetings will often focus on a specific, recent event, with goal-setting concentrating on the short term.

E. Types of counseling

1. Directive approach. The senior is in control of the session exclusively. He analyzes the situation, develops the plan for improvement, and directs what it is that the junior should do.
2. Nondirective approach. The senior asks questions, listens, and helps the junior to analyze the situation and develop the plan for improvement. The junior is encouraged to develop his own solution with the senior serving as one willing to help, often by simply listening.
3. Collaborative approach. A combination of the directive and nondirective approaches. The junior and senior work jointly to diagnose and solve the junior's problem.

F. Counseling practices

1. Practices related to the junior's performance
 - a. Target setting: Defining what the junior will be expected to do as a result of the counseling session and setting the standards by which effectiveness will be judged.
 - b. Problem solving: Analyzing the junior's performance problems and developing solutions.
 - c. Planning for improvement: Developing a plan to build on the strengths of the junior or to overcome shortcomings.
2. Practices related to the senior's counseling activities
 - a. Questioning: Using a variety of questioning techniques to draw the junior out or to clarify what is said.

- b. Giving feedback: The senior lets the junior know what he thinks about the junior's performance or summarizes what the senior understands from the meeting.
 - c. Active listening: Identifying nonverbal and verbal cues that indicate thoughts or feelings that may not be expressed directly.
- G. Planning and conducting a counseling session. There are 5 steps to the counseling process: preparation, opening, main body, closing, and follow-up.
 - 1. Preparation
 - a. Prepare a detailed review and evaluation of the junior's performance since the last session. Include positive and negative aspects of his performance.
 - b. Define the objectives to be accomplished in the session. The objectives should identify the successes, failures and problems that should be covered. The objectives should identify the junior's goals for the next performance period.
 - c. The session should commence with positive comments on the junior's performance. From there, the agenda should discuss the topics in a logical order, as prescribed by the senior. The senior must also decide which counseling approach would be most advantageous to attaining the objectives.
 - d. The senior should pay close attention to the setting and scheduling of the session and provide an atmosphere that

minimizes disruptions and
inattentiveness to the discussion.

2. Opening the session. The senior should establish an atmosphere conducive to open and frank discussion. Small talk should be used, if applicable; then the senior should review the objectives and agenda for the session.
3. Main body
 - a. The senior must often guide the session to ensure that the objectives are met, but should simultaneously be flexible if the need for deviation becomes apparent.
 - b. If applicable, encourage the junior's participation in the session, while using active listening skills to identify unannounced concerns or issues that should be discussed.
 - c. At the end of the session, the junior's goals should be established, along with a plan to meet them. Any previously established goals could be addressed at this time to make them more or less challenging as necessary. The senior should ensure that the junior fully understands the goals that have been established.
4. Closing the session. The senior should summarize the highlights of the session so that both can concur on what items were discussed. The session should end on a personal, positive note. Although this may not be a social occasion, the ending should contain positive and personal thoughts to make the session not appear to be perfunctory.
5. Follow-on

- a. The senior should maintain documentation of the session to serve as a quick reference of what was discussed. There are various means by which this documentation can be made, to include a platoon commander's notebook or counseling worksheets. At a minimum, documentation should contain the date of the session, name of the Marine counseled, subjects discussed, and goals that were established.
 - b. The senior should continue to monitor the junior's performance and assess how well the junior is meeting his goals. The senior should provide encouragement, reinforce positive performance and help correct deficiencies.
- H. Relationship between performance evaluation and counseling: Performance evaluation focuses on past performance. Counseling concentrates on the past only as a means by which to improve future performance. Although performance evaluation is usually conducted at the time fitness reports and proficiency/conduct marks are completed, these are not the only occasions during which performance evaluation should be performed.
- I. Design role-playing scenarios based on personal experience. Allow the class to critique counseling sessions.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 12A

HOURS: 1

TITLE: USN PROGRAMS AND POLICIES

I. Learning Objectives

- A. The student will comprehend the Navy and Marine Corps regulations, policies, and programs regarding equal opportunity, fraternization and operational risk management (ORM).
- B. The student will comprehend the provisions of official policies regarding the prevention of sexual harassment and hazing.
- C. The student will know the Navy's equal opportunity goals and how best to support them.
- D. The student will comprehend the responsibilities an officer has in support of Navy equal opportunity goals.
- E. The student will know some issues that may affect minority service members and the leadership responsibilities officers must foster in an integrated team concept.
- F. The student will comprehend behaviors associated with sexism, sexual harassment, fraternization, and racial equivalents, and the student will describe strategies for eliminating these behaviors.
- G. The student will know the fundamental applications of ORM and its effect on combat and peacetime evolutions.

II. References and Texts

- A. Instructor References:

1. MILPERSMAN 1740-020, "Information Concerning Pregnant Members"
 2. MILPERSMAN 3810190, "Maternity Care Available Before and After Separation"
 3. OPNAVINST 3500.39 (Series), "Operational Risk Management (ORM)"
 4. OPNAVINST 5370.2 (Series), "Navy Fraternization Policy"
 5. OPNAVINST 5354.1 (Series), "Navy Equal Opportunity (EO) Policy"
 6. OPNAVINST 5720.2 (Series), "Embarkation in U.S. Naval Ships"
 7. OPNAVINST 6000.1 (Series), "Management of Pregnant Servicewomen"
 8. SECNAVINST 1300.12 (Series) "Assignment of Women Members in the Department of the Navy (DON)"
 9. SECNAVINST 5300.26 (Series), "Department of the Navy (DON) Policy on Sexual Harassment"
- B. Student Text: OPNAVINST 5354.1 (Series), "Navy Equal Opportunity (EO) Policy"

III. Instructional Aids

- A. Course syllabus
- B. Chalkboard
- C. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures:

- A. Lecture
- B. Discussion

- V. Lesson Outline. (NOTE: The articles included for reading are not all encompassing on this subject matter. Instructors are encouraged to supplement with other pertinent material.)
- A. Begin the class with a discussion of the following issues:
1. Navy equal opportunity policy
 - a. Purpose of equal opportunity
 - b. Command Managed Equal Opportunity
 - c. Division officer's responsibilities regarding equal opportunity
 2. Navy's affirmative action plans and goals
 3. Service member's rights and responsibilities
 4. Navy grievance procedures
 5. Incident handling procedures
 6. Navy policies on sexual harassment and hazing
 - a. Definitions
 - b. Grievance procedures
 - c. Preventions and reprisals
 7. Navy policy on fraternization
 8. Assessment of risk in combat and in the workplace
- B. Discussion point: The Navy, like all organizations, must be aware of its responsibility to provide an atmosphere where an individual can work relatively free of unnecessary hazard and unlawful affront to their personal dignity.

- C. Many times majority members feel that victims are inconsistent in labeling sexual harassment. It's important to have a non-threatening discussion of how behaviors can be perceived or misperceived.
- D. Discuss reasons for not reporting offenses (e.g., peer evaluations/alienation from company/low self-esteem, etc.). Solicit strategies for creating a climate where individuals will use the grievance procedures without fear of reprisal.
- E. Operational risk management (ORM)
 - 1. Definition: The process of dealing with risk associated with military operations, which includes risk assessment, risk decision making and implementations of effective risk controls. ORM:
 - a. Is a decision-making tool used by people at all levels to increase operational effectiveness by anticipating hazards and reducing the potential for loss.
 - b. Increases our ability to make informed decisions by providing the best baseline of knowledge and experience available.
 - c. Minimizes risk to acceptable levels, commensurate with mission accomplishment. The amount of risk we will take in war is much greater than that which we should be willing to take in peace, but the process is the same. Applying the operational risk management process will reduce mishaps, lower costs, and provide for more efficient use of resources.
 - 2. Navy policy: "By its nature, the uncertainty of war invariably involves the acceptance of risk. Because risk is often related to gain, leaders weigh risks against the benefits to be gained from an operation"

(NDP-1). We rely on the judgment of individual commanders to balance the requirements of mission success with the inherent risks of military action. Naval leaders have always practiced risk management in their operational decision making."

3. ORM process:

- a. Identify hazard
- b. Assess hazard
- c. Make risk decisions
- d. Implement controls
 - (1) Engineering controls
 - (2) Administrative controls
 - (a) Provide suitable warnings, marking placards
 - (b) Establish written policies, programs, and instructions
 - (c) Train personnel to recognize hazards and take precautionary measures
 - (d) Limit exposure to a hazard
 - (3) Personal protective equipment
- e. Supervise: Conduct follow-up evaluations of the controls

F. Summary: Navy policies concerning the protection of individuals in our commands includes respect for race and gender and provides avenues for recourse in the event there is a problem. We recognize that when people are working closely together, difficulties will arise and a formal process to alleviate them must be maintained. We

also protect that individual in an operational environment by looking for and identifying risk and seeking to minimize it, knowing full well that our willingness to accept risk depends upon the necessity to successfully complete the mission in peace time and in combat. The Navy policies toward equal opportunity protect our people in the same way operational risk management prevents a sailor from being electrocuted. Both programs require our full support.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP & ETHICS**

Senior Seminar Lesson: 12B

HOURS: 1.0

TITLE: USMC PROGRAMS AND POLICIES

I. Learning Objectives

- A. The student will comprehend the Marine Corps' definition, policy, and programs/objectives concerning equal opportunity, sexual harassment and fraternization, and operational risk management (ORM).
- B. The student will comprehend the definitions of equal opportunity terms to include: minority, prejudice, discrimination, institutional discrimination, affirmative action, goals/milestones, and cultural diversity.
- C. The student will comprehend the company grade officer leadership responsibilities regarding equal opportunity.
- D. The student will know the definition of sexual harassment and comprehend:
 - 1. The elements (classification of behavior) of sexual harassment.
 - 2. The detrimental effects of sexual harassment.
 - 3. Marine Corps policies regarding sexual harassment/hazing and their prevention.
- E. The student will know the consequences of implicit and/or explicit sexual harassment.
- F. The student will know the possible consequences/remedies concerning fraternization.

- G. The student will comprehend the company grade officer's leadership responsibilities for the elimination of fraternization.
- H. The student will comprehend the Navy and Marine Corps policies regarding single parenting and pregnancy.
- I. The student will know the fundamental applications of ORM and its effect on combat and peacetime evolutions.

II. References and Texts

A. Instructor References:

- 1. MCO P5354.1, "Marine Corps Equal Opportunity Manual"
- 2. SECNAVINST 5350.10 (Series), "Equal Opportunity within the Department of the Navy"
- 3. SECNAVINST 5300.26 (Series), "Department of the Navy Policy on Sexual Harassment"
- 4. OPNAVINST 5370.2 (Series), "Navy Fraternization Policy"
- 5. SECNAVINST 1610.2, "Department of the Navy Policy on Hazing"
- 6. UCMJ, Articles 92 and 134
- 7. U.S. Navy Regulations, Article 1165
- 8. Articles:
 - a. Herrera, Eugene A. "The Minority Controversy: Enough is Enough." Marine Corps Gazette, March, 1994, pp. 36-37 (attached)
 - b. Jackson, A.L. "Minority Officers in the Marine Corps: A Perspective." Marine

Corps Gazette, September, 1994, pp. 85-89 (attached)

9. MCO 1740.13 (Series), "Family Care Plans"
10. MCO 5000.12 (Series), "Marine Corps Policy on Pregnancy and Parenthood"

B. Student Resources:

1. Herrera, Eugene A. "The Minority Controversy: Enough is Enough." Marine Corps Gazette, March, 1994, pp. 36-37 (attached)
2. Jackson, A.L. "Minority Officers in the Marine Corps: A Perspective." Marine Corps Gazette, September, 1994, pp. 85-89 (attached)

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures:

- A. Lecture
- B. Discussion

V. Lesson Outline

- A. The nature of these issues:

"Our Corps is a national institution. The people of the United States expect from us prowess in combat; but equally so, they expect honor, integrity, dedication to ideals, respect for human dignity and the highest standards in personal and institutional discipline. Any action to the contrary is detrimental to the very image conveyed by the title, Marine....We must not tarnish our image with substandard

leadership and behavior....focus your priorities on reaffirming and achieving expected standards of ethics, behavior and respect for each other and those around us. To do any less is to be less than a Marine."
(From White Letter No. 10-92, General Mundy)

- B. Equal opportunity. (NOTE: Items in quotation marks are taken from The Basic School class outline B0629.)
1. Definition: "A concept which requires that the objectives of fair and equal treatment and equality of opportunity for all be applied to all management functions and leadership actions."
 2. Marine Corps policy: "The Marine Corps policy (in fact, Department of Defense policy) is to provide equal opportunity for all military members without regard to race, color, religion, sex, or national origin consistent with the law and regulations and the requirements for physical and mental abilities."
 - a. The achievement and maintenance of this policy is essential to combat readiness.
 - b. Fairness and equality of opportunity are inherent functions of leadership and will be given appropriate consideration in performance evaluations.
 3. Objectives
 - a. "Understand the effects of past discriminatory practices in order to formulate specific equal opportunity objectives, and then initiate affirmative actions to eliminate deficiencies..."

- b. "Eliminate, correct, or prevent institutional and individual discriminatory practices."
 - c. "Eliminate prejudice and promote harmonious relationships among Marines."
 - d. "Ensure the opportunity and encouragement for personal and professional advancement of individual Marines, without regard to race, color, religion, sex, age, or national origin."
4. Equal opportunity terminology
- a. Minority: "A group which differs from the predominant section of a larger group in one or more characteristics and as a result is often subject to differential treatment."
 - b. Prejudice: "The holding of judgment or opinion without regard to pertinent fact that is typically expressed in fear, hostility, or intolerance of certain people, customs, and ideas."
 - c. Discrimination: "An act, policy, or procedure that arbitrarily denies equal opportunity to an individual or group of individuals because of race, color, religion, sex, age, or national origin."
 - d. Institutional discrimination: "Policies, procedures, and practices that, intentionally or unintentionally, lead to differential treatment of selected identifiable groups and through usage and customs have attained official or semiofficial acceptance in the routine functioning of the organization."

- e. Affirmative action: "Any action directed toward implementing and advancing the concept of equal opportunity."
 - f. Goals/Milestones: "Result-oriented projections to which the command aims within the context of the equal opportunity concept."
 - g. Cultural diversity: "A desirable condition brought about by the gender, religious, racial, cultural, and social differences Marines bring to our organization."
5. Officer leadership responsibilities
- a. Assume a proactive visible role. Promote an appreciation and respect for different capabilities that Marines bring with them to the Corps.
 - b. Be receptive to complaints.
 - c. Use the chain of command for correcting discriminatory practices. Emphasize the use of request mast as the primary means for filing a complaint.
 - d. Record, report, investigate and analyze all complaints promptly.
 - e. Monitor the command climate.
 - f. Defuse perceptions and eliminate rumors.
 - g. Ensure that assignment to duties are based on grade and occupational skill requirements.
 - h. Ensure that the same standards are applied to all Marines when recommending recognition.

- i. Ensure that military justice is administered with absolute fairness.

C. Sexual harassment

1. Definition: A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:
 - a. Submission to or rejection of such conduct is made either explicitly or implicitly as a term or condition of a person's job, pay, or career, or
 - b. Submission to or rejection of such conduct by a person is used as basis for career or employment decisions affecting a person, or
 - c. Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.
2. Any person in a supervisory or command position who uses or condones explicit or implicit sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.
3. Classification of behaviors: Behavior can be classified through the use of a traffic light -- from green, to yellow, to red.
 - a. Green zone behavior includes:
Performance counseling, correcting appearance, showing concern, a sincere compliment, non-intimate touching,

social interaction, encouragement, and friendly conversation.

- b. Yellow zone behavior includes:
Violating space, personal questions, off-color jokes, leering, unwanted requests for dates, wearing sexually suggestive clothing in the workplace, whistling, lewd comments, suggestive posters/calendars, staring, foul language, unwanted letters/poems, sexual gestures. Most sexual harassment complaints originate from yellow zone behavior.
- c. Red zone behavior includes: Sexual assault -- ranging from forcibly grabbing an arm to rape, sexually explicit pictures, sexist/racist remarks, obscene letters or comments, sexual favors in return for rewards, threats if sexual favors are not provided, using position to request dates.

4. Sexual harassment effects

- a. Negatively affects morale, discipline, and mission readiness.
- b. Violates the UCMJ.
- c. Brings discredit to individuals, units, our Corps, and the Department of Defense.

5. Marine Corps' policy: ZERO TOLERANCE.
Effective 1 March 1992, the Secretary of the Navy mandated that any officer or enlisted personnel of the Navy or the Marine Corps shall be processed for administrative separation on the first substantiated incident involving:

- a. Threats or attempts to influence another's career or job for sexual favors.
- b. Rewards in exchange for sexual favors.
- c. Physical contact of a sexual nature, which, if charged as a violation of the UCMJ, could result in punitive discharge.

6. Consequences

- a. Possible consequences may include: counseling (page 11 entry), fitness report comments, NJP, courts-martial and/or disciplinary action that could result in a dishonorable discharge.
- b. All complaints must be forwarded to Headquarters, Marine Corps.

D. Fraternization

- 1. Definition: A social or business relationship between Marines of different grades in violation of a custom of naval service which, in the eyes of one experienced in military leadership, impacts adversely on good order and discipline, or degrades or at least threatens to degrade the character or status of the position that a Marine holds. Fraternization is gender neutral (i.e., the relationship need not be male-female).
- 2. Examples of fraternization between Marines of different grades
 - a. Playing cards or gambling together
 - b. Going to private homes or clubs together
 - c. Dating or engaging in sexual activities

- d. Engaging in commercial transactions (except for onetime sales or leases)
 - e. Showing favoritism or partiality
 - f. Using one's authority for personal gain
- 3. Consequences/Remedies
 - a. Non-punitive administrative remedies include: formal or informal counseling, transfer of one or both parties, and/or fitness report comments.
 - b. NJP (often followed, in the case of officers, by processing for administrative separation)
 - c. Courts-martial
- 4. Officer leadership responsibilities
 - a. Responsibility for maintaining customary/traditional standards of conduct lies with the senior.
 - b. Leaders must be careful to avoid even the perception of fraternization.
 - c. Educate your Marines regarding fraternization policies and the reasons behind them.
 - d. Eliminate offending conduct by taking timely and appropriate action.
- E. Single-Parenting/Pregnancy (*NOTE: This topic is covered in more detail in Senior Seminar Lesson 7.*)
 - 1. Marine Corps policies concerning single parents:
 - a. Formal family care plan must be established

- b. Required counseling
 - c. Assistance available through Family Service Centers (FSCs), legal assistance, and child development centers.
- 2. Marine Corps policies concerning pregnancy:
 - a. Marine's responsibility
 - b. Command responsibility
 - c. Maternity leave
 - d. Duty status/PFTs/Deployments
 - e. Requests for separation
- F. Operational risk management (ORM)
 - 1. Definition: The process of dealing with risk associated with military operations, which includes risk assessment, risk decision making and implementations of effective risk controls. ORM:
 - a. Is a decision making tool used by people at all levels to increase operational effectiveness by anticipating hazards and reducing the potential for loss.
 - b. Increases our ability to make informed decisions by providing the best baseline of knowledge and experience available.
 - c. Minimizes risk to acceptable levels, commensurate with mission accomplishment. Applying the operational risk management process will reduce mishaps, lower costs, and provide for more efficient use of resources.

2. Marine Corps policy: "By its nature, the uncertainty of war invariably involves the acceptance of risk. Because risk is often related to gain, leaders weigh risks against the benefits to be gained from an operation" (NDP-1). We rely on the judgment of individual commanders to balance the requirements of mission success with the inherent risks of military action. Naval leaders have always practiced risk management in their operational decision making."
3. ORM process
 - a. Identify hazard
 - b. Assess hazard
 - c. Make risk decisions
 - d. Implement controls
 - (1) Engineering controls
 - (2) Administrative controls
 - (a) Provide suitable warnings, marking, placards
 - (b) Establish written policies, programs, and instructions
 - (c) Train personnel to recognize hazards and take precautionary measures
 - (d) Limit exposure to a hazard
 - (3) Personal protective equipment
 - e. Supervise: Conduct follow-up evaluations of the controls

G. Hazing

1. Definition: Hazing is defined as any conduct whereby a military member or members, regardless of service or rank, without proper authority, causes another military member or members, regardless of service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another to perpetrate such an act is also considered hazing. Hazing need not involve physical contact among or between military members; it can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator:
2. Background: Hazing is contrary to the Navy and Marine Corps Core Values and adherence to the SECNAV policy on hazing is central to meeting the DON's ability to meet its global mission. Hazing is not part of our time-honored traditions and has no place in the Naval Service. It will not be tolerated in the Navy or the Marine Corps.
 - a. Sailors and Marines are our most valuable resource and everyone in the DON has the responsibility to protect this resource by prohibiting and reporting any acts in violation of the SECNAV Hazing Policy.
 - b. Military customs and traditions can be properly celebrated without any necessary hazing behavior that is degrading, embarrassing, or injurious. Such behavior is illegal and unprofessional.
 - c. Commanders and officers-in-charge must be aware of any and all ceremonies and initiations conducted in their organizations and take proactive steps to ensure that these activities do not violate the hazing policy.

3. Hazing can include, but is not limited to:
 - a. Playing abusive or ridiculous tricks
 - b. Threatening or offering violence or bodily harm to another
 - c. Striking
 - c. Branding
 - d. Taping
 - e. Tattooing
 - f. Shaving
 - g. Greasing
 - h. Painting
 - i. Requiring excessive physical exercise beyond what is required to meet standards
 - j. "Pinning," "tacking on," or "blood-winged"
 - k. Forcing or requiring the consumption of food, alcohol, drugs, or any other substance
4. Hazing does not include command-authorized or operational activities, the requisite training to prepare for missions or operations, administrative corrective measures authorized by the UCMJ such as extra military instructions, athletic events, command-authorized physical training, or other competitions authorized by the chain of command.
5. Policy:

- a. No commander or supervisor may, by act, word, deed, or omission, condone or ignore hazing if they know or reasonably should have known that hazing may or did occur. Commanders are responsible.
- b. Every Sailor and Marine must ensure that hazing does not occur in any form or at any level, stop it from occurring, and make proper authorities aware of violations to the policy.
- c. Supervisory personnel are responsible for ensuring that service members participating in command-authorized ceremonies and initiations are treated with dignity and respect during these events.
- d. Those found not in compliance will be subject to Article 92 of the UCMJ, failure to obey a lawful order and other UCMJ articles as they apply.
- e. Victim and witness assistance must be provided by the unit commander in any incident in which a hazing incident has been reported.
- f. Substantiated incidents will be reported via OPREP to the CNO and CMC.
- g. All military personnel will be provided training upon accession into the enlisted or officer ranks, and receive training annually.

THE MINORITY CONTROVERSY: ENOUGH IS ENOUGH

by Major Eugene A. Herrera

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I have been following the latest crisis, "the minority controversy," in our Marine Corps for some time now, and I can no longer stand by without offering a different perspective to this emotional issue.

Background

I think I qualify as a minority. One set of grandparents were born in Mexico, migrating across the Texas-Mexico border in the early 1900s. My grandfather did backbreaking railroad labor from Texas to California and then up the Pacific Coast to Oregon where my father and I were born. My mother was born on the Kickapoo Indian Reservation near Horton, KS. Life being what it was (and is) on the reservation, her family, too, migrated to Oregon. I mention my heritage proudly, but only to answer those skeptics who will surely doubt it after reading my thoughts.

I will offer my career as a counter to the ongoing effort to depict the Marine Corps as a "racist organization." From my experiences, nothing could be further from the truth.

- I enlisted in August 1976 and was promoted to Sergeant, E-5 in March 1979.
- After serving 3 years as an aviation radar repairman, my officer-in-charge at Marine Air Control Squadron 5 recommended I submit a package to apply for the Enlisted Commissioning Program in June 1979. I was selected and received orders to Officer Candidate School (OCS) in August 1979.
- As a former enlisted without a college degree, I realized that I would need to finish college to continue my career as an officer of Marines. I applied for and was selected for the Degree Completion Program in March 1983.

- In November of 1990, I was selected to participate in the Special Education Program and attended the Naval Postgraduate School at Monterey, CA.

As an officer, I have been selected for promotion to my current rank at the first opportunity for each rank.

I have served as the S-1, S-2, S-3, and S-4 of squadrons throughout the Marine Corps and am currently the Marine Corps liaison officer at a major Department of Defense contractor facility. The opportunity to advance professionally has presented itself at each and every juncture of my career. Let there be no mistake, I am not a "water walker," but those important assignments within each squadron would not have been assigned to me unless the commanders I have served under recognized some ability on my part. When unit commanders promote minorities, or nonminorities, to fill key billets, that commander is interested in accomplishing the mission, not fulfilling the socio-economic goals of the country.

Quotas

Let's reflect on the probable ethnic makeup of the boards that have selected me for promotion and education opportunities. Having no insight into who actually sat on these boards, it is reasonable to assume they were comprised of senior officers, the majority of which were nonminorities. Although I am extremely confident that my abilities fully justified selection, I am not naive enough to believe that my ethnicity was not examined and considered prior to selection. What does this scenario indicate to me? I believe, that from day one of my career, the Marine Corps, as well as the other Services, have offered minority groups a greater opportunity to succeed and advance through the ranks, both officer and enlisted, than any other segment of American society. Having stated this, I have felt and will always feel that Marines sitting on boards will recognize Marines according to their abilities.

Why are all studies concentrating on the officer ranks? For a complete picture, I suggest that anyone interested should examine the enlisted picture where top billets and ranks are filled with minorities. Ask any of these Marines if they have ever been denied promotions or

opportunities. I think you will find few whiners and complainers who claim racism has unfairly prevented them from advancing to the top of their chosen profession.

Members of the Marine Corps who are raising this issue to the media often quote the percentage of minority officers to the percentage minority enlisted personnel. Then they say, "That statistics prove our point that there are not enough minorities being promoted, augmented, or selected for command. This percentage should reflect the total strength of the Corps. For example, if Mexican Americans make up 9 percent of total end strength, then 9 percent of senior officers should be Mexican Americans. Only by providing this representation can the Marine Corps truly reflect American society." I cannot and will not attempt to dispute numbers. I can only say that arguments such as these sound similar to those used by proponents of lifting the ban on gays in the military. Special interest groups are making statements saying the military population should reflect the population as a whole -- black, white, gay, straight, right down the line. I strongly disagree with all special interest segments who use this flawed argument. The Marine Corps is a fighting machine, not a social experiment in political correctness. I really doubt the majority of Americans want this fine organization to mirror society.

Racism

I do not doubt that racism exists in the Marine Corps today. It exists everywhere in this country. I have experienced this illness first hand and hated the individual who subjected me to it. Experiences, such as this, however, did not lead me to conclude that racism is rampant, nor that there is an organizational racial bias against Mexican Americans or American Indians in the Marine Corps. It made me understand that there are ignorant, inbred, asses everywhere you go and the Marine Corps has its fair share of them. However, over the course of 17 years in the Corps, I firmly believe there are not enough of them in senior positions, enlisted or officer, to constitute racial discrimination against minorities.

Training

Studies recently conducted have recommended changing the way candidates are evaluated for OCT to eliminate some of the suggested racial bias and perhaps keep a higher percentage of minorities in the program. Studies suggest that some of the skill tests conducted at OCT (and even some at the Basic School (TBS)) are biased against one minority segment or another. This further leads the researcher to conclude that these skill tests should be modified or deleted altogether. This is an ill-advised, dangerous course for the Marine Corps to embark upon. OCT and TBS were extremely difficult evolutions for me. Enlisted boot camp certainly prepares you for some of the mental hardships experienced; however, these schools are preparing officers of Marines who will require unique skills, skills not necessarily possessed by all. Learning to properly navigate using a compass and map is not an easy assignment; however, it is an essential skill required by every Marine officer leading a platoon of Marines, the basic unit every candidate or TBS lieutenant is expected to lead.

Shooting a rifle or pistol is not a natural skill, except for a select group. I required six trips to the rifle range before firing expert with the M16, and the .45 pistol was an absolute terror for me to even qualify with. With extra instruction, I was shooting at the sharpshooter level before the weapon went out of the inventory. Does anyone truly believe that because of low scores among minorities firing weapons, a Marine officer should not be required to qualify?" Baloney. I lead by example and fully expect all other officers worth their salt to do the same. Swim qualification is another skill which has been noted as one in that minorities have scored lower than their nonminority counterparts. Given our amphibious mission and current emphasis on littoral warfare, it would be negligence on our part if we waived swimming qualifications among Marines. Should we remove these or other difficult requirements? Should we stop the skill testing currently required? Absolutely not. Marine officers who lead platoons or fly aircraft in hostile environments require essential military skills.

An Answer: Better Recruiting

The answer to the "minority controversy" is not lowering standards, but in seeking and heavily recruiting qualified and motivated young men and women from both outside the Marine Corps and within. The pool of talented young enlisted Marines, both minority and nonminority, is an excellent source for the Corps to draw from. I know the Commandant and senior leadership are making the attempt to reach this population; however, I suggest that ALMARs and White Letters may not be enough. I believe the Corps should become more aggressive in this area, possibly by personally contacting each and every potential candidate at the unit level. If the placing of minority officers in billets to individually accomplish this interview process is required, then do so. This is only one suggestion; I am sure there are Marines at Headquarters Marine Corps looking into other possible solutions rather than lowering standards. I certainly hope so.

Leadership

I greatly enjoy Lynn Ashby's annual birthday messages, which are reprinted each year in the November Marine Corps Gazette. Reflecting on Mr. Ashby's comments this year puts the minority controversy into some perspective. His theme was on "Marines: A Place to Find Leaders." Simply put, he says the secret of success for a Marine officer is to "lead by example, follow due to respect." Mr. Ashby points out that candidates are sent to training at Quantico, "a school that is hard to get into and harder to get out of." The inference is that this is where the capability to "lead by example" is taught by the staff, understood by the candidates, and proven beneficial to troops in future commands of these officers. It is in these future commands where enlisted Marines either respect and follow officers or, worst case, ignore them.

While a few minority Marines are writing letters and researching this difficult issue, a great majority of us wonder: Are they spending an appropriate amount of time looking after the needs of Marines working for them? Or, is their "alternate career" more important to them than the lives of their Marines?

On November 10th last year, after 17 years as a Marine, I found myself singing the Marines' Hymn a little louder, wearing my Dress Blue uniform a little prouder, and relating stories of Marine tradition a little more often with the uninitiated. Maybe it's coincidence that this happened to me, or that LCpl Ashby writes his column each year, or that Marines all over the world remember the birthday of our Corps in such a grand manner. But I don't think so. We must be doing something right and have been doing something right for 218 years. For our Marines' sake, let's put this issue to rest and press on to the many challenges facing our country today.

**MINORITY OFFICERS IN THE MARINE CORPS:
A PERSPECTIVE**

by LtCol Anthony L. Jackson

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Ever since the Commandant's original televised appearance on "60 Minutes," I have tried to put together my thoughts on race relations and minority officer issues in the Marine Corps. The purpose of this article is to share my views with my fellow Marines in order to stimulate constructive thought, to promote discussion, and to provide some proposals that could help resolve some of the real or perceived problems.

Minority officers often must confront racially generated situations that may or may not be intentionally racist. These situations are nonetheless divisive and are continuous reminders to minorities that they are outside the mainstream. Let me relate one of many of mine to you.

This occurred the day I initially checked into my first infantry battalion. Being a bright, shiny, new second lieutenant, I had all my ideals perfectly intact. I knew I was about to receive a platoon of the world's finest warriors. I was all adrenaline. As I checked into the regiment, by happenstance my new battalion executive officer was also at the regimental headquarters on business. When he offered to take me over to battalion, I eagerly accepted the invitation. He took me under his wing, introduced me to the adjutant, left me with him, and wished me the best of luck.

The adjutant took my officer qualification record, told me what company I would be going to, and offered me a few pearls of wisdom. I thanked him and then he made arrangements for me to meet "the old man." At the adjutant's direction I marched smartly into the battalion commander's office and reported for duty. Standing at a rigid position of attention, I waited for his response.

It seemed like an interminable wait as he kept his head down appearing to be totally engrossed by my officer qualification record. He raised his head slowly. When I

finally got a full facial view of him, I noticed his face just exuded disdain. Not wanting to show cowardice, I stood my ground. After a moment's reflection, his mouth began to move. He said, "Lieutenant, if the white guys don't get you for being black, then the black guys are going to get you for being an "Uncle Tom." Do you have any questions?" Needless to say, I had no questions and he summarily dismissed me. Well, so much for a warm, inspiring welcome aboard speech from the old man. That was the entire interview!

This story is but a small example of the adverse situations that a minority officer confronts or could confront in his career. Was this a blatant example of racism, a stern warning of what was truly to come, or a tactless bit of sage advice from a wise commanding officer to an eager-beaver lieutenant about the tough road that lay ahead for him? Depending on your perspective, it could have any of the above. I took it as a challenge and as a warning to do what I thought was right--no matter what--for I would be in a "lose/lose" situation if I was looking to be popular. The wisdom of that advice is still to be determined as I continue in my chosen career. However, the manner in which it was presented had planted one of the first seeds of doubt as to whether or not I could ever be on the "first team."

Too often, the minority officer is put in predicaments where he or she must wonder, "now what did he 'really' mean by that?" In a sense, the preceding event, which has relevancy today, provides some insights into the plight of minority officers in the Marine Corps and the Marine Corps' confusion in handling minority officer issues--specifically when it comes to recruiting, training, and retaining them. The fundamental issue here is race relations in America. However, as a career Marine officer, I have tried to come to grips with this problem as it relates to my profession.

This is a difficult issue for me because it is so personal. Being an American of African descent; being blessed with the fruits of being an American; being college educated; being from a stable, loving family; being raised as an Army brat; being told all my life by parents, teachers, friends, and relatives that I could be somebody; being a lieutenant colonel of Marines; and being reminded

unceasingly that achieving racial harmony is an ongoing struggle in this nation--all make this very personal.

However, let me say that if one were to examine my career pattern without ever having examined what my racial lineage is, one could easily guess that I was the proverbial fair-haired chosen one. After graduating as an infantry officer from The Basic School (TBS), I went to the fleet to become a platoon commander. I have subsequently served as a rifle and weapons company commander; a battalion adjutant and assistant S-3; a company commander and S-3 officer in a recruit training battalion; commanding officer, Marine Detachment, USS *Long Beach* (CGN 9); headquarters and service company commander, Brigade Service Support Group 1; S-3 and executive officer of an infantry battalion; student, Armed Forces Staff College; desk officer and senior emergency action officer, J-3, Joint Staff, the Pentagon; chief of the instructor group, TBS; and now commanding officer, Marine Security Force Company, Naval Submarine Base, Kings Bay, GA. Hardly the career pattern of one who is supposed to be handicapped because of his race.

Those who would utterly denounce the accusations of racism in the Marine Corps would point to me as an example and say here is positive proof that the institution is open and fair to all regardless of background. Those who would stand by the accusations and swear that they are utterly true, would say that I and the few others like me are the exception, or we have sold out our cultural heritage for a successful career pattern. What is the truth?

I have not conducted an exhaustive study of racial issues in the Marine Corps, however, I suppose that either willingly or not, I have participated in many. I have not been elected by anybody to present their views. I do not claim to be representative of any group as a whole. I am but one black, American, male, Marine officer with a unique life experience and a personalized perspective. Here are some of my thoughts on the matter:

- The Marine Corps of today, as an institution, is not racist. There is, however, a public perception, perhaps especially in the black community, of a racially troubled organization.

- The Marine Corps, as an institution, has a history, as does this nation, of racism.
- In my years of service -- 1975 to the present --the Marine Corps has struggled with its inherited past and its members' preservice-acquired views of race.
- Not all of its members have risen above their preservice-acquired racist views--despite the fact that the institution has an active equal opportunity program and will punish anyone who demonstrates overt acts of prejudice.
- The Marine Corps is an institution that sees itself as the bastion of all that is considered the highest in soldierly virtues. This self-image puts it immediately in conflict with anyone who would want to adjust standards to widen the door of opportunity to join this "elite" club.
- The standards for being an officer of Marines are indeed tough -- surely tougher even than going to a prestigious law school. The successful officer must excel in academics, military skills, and leadership. Yet some of those standards need to be objectively reevaluated to determine if they really make sense, e.g., is it really necessary to be a first-class swimmer to be a combat arms officer? Is this an unintentional career inhibitor?
- Many minority officers believe that they must work twice as hard to achieve success; that their shortcomings are twice as visible; and that they are more likely to have their shortcomings "cost" them officially, i.e., be reflected on fitness reports. Or when officers are equal in abilities, who gets the higher rating, those who are most "like" the reporting senior, or in the case of TBS, more like their peers?
- The Marine Corps still views battlefield leadership or the potential for battlefield leadership as the key criteria for judging its officers. And it is from the combat arms that the top leadership in the Marine Corps traditionally comes. As a result, those officers who become combat arms officers, those potential battlefield leaders, start their careers with a greater chance of achieving success and following "successful" career paths. Many minority officers chose non-combat arms military

occupational specialties (MOSs) right out of TBS. This decision becomes a career handicap -- perhaps the single most significant of career discriminators. The Marine Corps is equally at fault with those minority officers for this disproportionate MOS distribution. The fault lies in failing to educate all of its officers on the potential consequences of MOS selection. The minority officers' fault is not seeking out that knowledge, ignoring it, or initially only viewing the Corps as a stepping stone for other ambitions, i.e., a stepping stone along the road to a successful civilian career.

- Minority officers must constantly struggle with the dilemma of being the cream of the crop (college-educated black male) in their hometowns, being in great demand from other sectors of our society, yet still being perceived by black civilians as the educated trigger puller for the "Man." This puts cultural pressures on them to avoid combat arms MOSs. There is little understanding of this phenomenon in the Marine Corps as a whole and therefore it is seldom addressed.

- The leadership traits, principles, and historical heritage of the Marine Corps are presented with a distinctly southern, Civil War-era flavor. Even when an example of American military success is presented in a Marine Corps classroom setting, too often the instructor selects examples of the military prowess demonstrated by Civil War generals -- those who were in rebellion against the very Nation which we, as officers, have sworn to defend. There has been no balance -- the victors, the emancipators, are hardly noted. The resulting outcome of this southern slant at Marine Corps training institutions actually encourages a sense of alienation on the part of minorities, placing them on guard with the very institution that they are trying to join. (I must say that my recent experience at TBS has proven that this practice is largely fading into the past at this institution.)

- Though the Marine Corps has made many strides toward eliminating institutional biases, officers, regardless of background, need to be periodically reeducated on the state of race relations in the Corps.

- The Marine Corps is downright clumsy in handling racial issues. Despite senior officers wanting to be absolutely

forthright and a part of the solution, whenever I have witnessed them address these issues, they inevitable "mis-speak" and either alienate, insult, or confuse their audience--regardless of its background.

- The Marine Corps, while trying to cope with the realities of disproportionate (too little) minority representative in its officer ranks, has focused too much on statistics and not enough on making a Marine officer career more attractive to minorities. Our television commercial advertising even perpetuates this in a subliminal fashion. For example, during this past football college bowl and professional football playoff season every televised game seemed to have a Marine recruiting commercial. Every time it was the same message -- a white male officer in shining armor slaying the bad guys in black armor. The European setting and the underlying significance of the bad guys in "black" armor is totally lost on the advertisement's make and its Marine Corps sponsors.

- Minority officers must avoid the pitfall of blaming all of their personal and professional conflicts/shortcomings on racial motivations. Paranoia is not constructive. The Marine Corps is cheering for their success -- not only for the minority officers' good but also for the good of the institution. Every real minority success story is a Marine Corps success story and assists in the very survival of the Corps as a public institution. Every failure, conversely, is a shared institutional failure and a bad advertising commercial for the Marine Corps. Further, Marines, no matter the cultural background, just do not like failure!

I believe there are positive steps our Corps can take to enhance the public's perception of how the Marine Corps handles minority officers and, at the same time, create a better growth environment for minority officers. First, I think we need to go outside of our ranks to find the experts who have dealt with racism, real and perceived, in other venues of our society. We do not need an army of statisticians and scientific fact finders. We need to reach both inside and outside our community for solutions and insights. The problem is sociological. We need people like Dr. Harry Edwards, noted civil rights activist in college and professional sports, or even the Reverend Jesse Jackson -- people who have dealt with race conflict in American society throughout their lifetimes and who can

educate us on the lessons they have learned. Although these civil rights activists and others like them may be politically unpalatable to many Marine officers, they have great credibility within the minority community and certainly the Marine Corps could use an external, social-scientist perspective on how to handle cultural diversity. We need not look to these men for solutions alone, but they can assist us in seeking a broader view of ourselves. And that will start us toward conflict resolution.

It is my firm belief that the senior leadership of the Marine Corps needs wise counsel from its own ranks on matters of race. This cannot come from the hallowed halls in Washington, DC, but rather it must come from Marines in the field. We don't need to establish more bureaucratic institutions which inevitably become more interested in self-survival; we need to hear from the men and women who make up our ranks who are willing to tell our senior leadership exactly how it is, and what ought to be done to solve problems, or at least to confront them head on. We don't want permanent committees, or councils, or offices, but ad hoc ones called from time to time to resolve conflicts, take on issues, give fresh perspectives, and then dissolve and go about their business of being Marines. These Marines should represent a generational cross section of our Corps and be further tailored according to the needs of the situation for which they are formed.

Perhaps we should reach out to all of our minority officers with a questionnaire that would seek candid answers to their perceptions of the real or perceived problems and their solutions. This could be followed by a similar questionnaire to a representative sample of majority officers. The answers provided would form a baseline for the Marine Corps in developing a program with goals and milestones toward achieving our stated objectives. It would also provide real-world input into any curriculum developed for our schools and senior officer education.

Further, we need not apply deadlines and racial statistical goals for measuring the success of our officers' careers. What we need to do is take every opportunity to ensure fairness in career growth opportunities; to present to the public a high-quality Marine Corps made up of men and women of exceptional talent

from culturally diverse backgrounds -- free from the debilitating effects of racial, cultural, sexist, or religious prejudice.

As a practical matter, we need to reevaluate those standards by which we direct officers into particular MOSs. Further, a sensitivity to the diversity of our members should be reemphasized within the Marine Corps University and training and education commands. Our formal schools must incorporate topical material on cultural diversity into their leadership syllabuses at every level.

Additionally, the Marine Corps needs to develop an education video or other program to tell the true story of its struggles with the issues of race. Experts should be hired to assist us in this endeavor. No single Marine can tell this story. We should create an oral history of the stories of all sides in this matter. We should get this history out to our members and the public. And I believe, by telling our story, especially if we tell it candidly to ourselves, we will better understand where we are today and where we are headed in the future.

Recently, much has been discussed and written about establishing a mentor program for minority officers. This is a good idea up to a point. The goal is to have senior officers of similar cultural background "be there" for junior officers when they have any questions or concerns regarding their service. Every officer should have role models and develop relations with his juniors and seniors. Some of these relations become mentorships and are good, but they usually develop naturally. That is, they develop out of relationships such as commander to subordinate, teacher to student, friend to friend, and mutual interests. To force mentoring because of race or sex or any other officially generated criteria is inherently wrong, unless it is commander to subordinate -- something that is every commander's inherent responsibility. To assume that the color of one's skin makes for "sameness" and the only necessary basis for a mentor relationship is naive and prejudicial. We need to rethink what it is that the Marine Corps wants when it comes to minority officer mentoring. My belief is that those relationships should be derived from command or be voluntarily established.

And finally, if we know that minority officers are having difficulty with certain skills at TBS, why do we keep sending them into that highly competitive environment without at least attempting to shore up the deficiencies in advance. I recommend that a post-Officer Candidate School/pre-TBS preparatory school be established which would address deficiencies before a lieutenant gets into the competitive cauldron of TBS. Swim qualification, weapons familiarity, writing skills -- whatever the area -- should be addressed and remedied to an acceptable standard, and only then should an officer enter TBS. This doesn't have to be for minorities only, and should not be more than a few weeks in duration. What it will do is increase an officer's chances for success at TBS and therefore increase his chances for a longer, more successful Marine Corps career.

In conclusion, the dilemma of creating a totally harmonious racial environment in the Marine Corps is laudable, but it will not come easily or quickly. Much work needs to be done. We must look both externally and internally to view the problem objectively and to work out solutions. We must educate ourselves and develop coherent strategies for success. We must examine those policies that are currently impacting on the success or failure of our officers that truly have no necessity for being a part of the elimination process. And for those officers who have previously demonstrated weaknesses in military skills prior to their arrival at TBS, we must help prepare them for the rigors to come.

In the introduction, I stated the purpose of this article was to stimulate constructive thought, to promote discussion of the issues, and to provide some proposals which would help resolve some of the real or perceived problems. I hope that I have accomplished that for the betterment of our Corps and our country. We must fairly resolve the issues in a reasonable period of time. In the words of the late Reverend Martin Luther King, Jr., "We must use time creatively, in the knowledge that the time is always ripe to do right." These are thoughts of one officer who takes the issue very personally.

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP AND ETHICS**

Senior Seminar Lesson: 13

HOURS: .5

TITLE: ORDERS/TRAVEL/LEAVE/MOVING/REPORTING ABOARD

I. Learning Objectives

- A. The student will know basic types of orders.
- B. The student will comprehend the makeup of standard Navy orders.
- C. The student will know definitions and policy regarding travel time, proceed time, allowances, dependent travel, and leave entitlement in executing a set of PCS and/or TEMADD orders.
- D. The student will know shipment of personal effects entitlement for newly commissioned officers.
- E. The student will know the procedures to effect a PCS and/or TEMADD shipment of personal goods.
- F. The student will know the proper procedures for reporting aboard a new duty station.
- G. The student will know the steps required when relieving another officer of his/her responsibilities in the unit.
- H. The student will know the proper procedures for assuming the duties of a division officer.
- I. The student will know traditional collateral duties associated with division officer assignments.

II. References and Texts

- A. Instructor References:

1. Joint Federal Travel Regulations - Available at <http://www.dtic.mil/perdiem/trvlregs.html>
2. MILPERSMAN 1320-100, "Travel Time in Execution of PCS Orders"
3. MILPERSMAN 1320-090, "Proceed Time in Execution of Orders"
4. MILPERSMAN 1320-140, "Permanent Change of Station Transfer Orders Reporting Policy"
5. NAVSUP Publication 380, "It's Your Move" (This document is provided by your unit's servicing Travel Management Office, Household Goods Office, or Family Service Office.)
6. OPNAVINST 3120.32 (Series), "Standard Organization and Regulations of the U.S. Navy" (SORN), Chapter 3
7. The Naval Officer's Guide

B. Student Text: NAVSUP PUB 380, "It's Your Move"

III. Instructional Aids

- A. Chalkboard
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options
 1. Lecture
 2. Discussion
- B. Procedural and student activity option: A suggested way to accomplish this lesson is to present a lecture, followed by the opportunity for each student to interpret a set of orders (preferably his/her own) and compute travel

time, etc., for his/her next duty station. Utilization of the unit yeoman or local PSD personnel may be helpful. Another suggestion is to combine a lecture on reporting aboard with a discussion of current naval etiquette.

V. Lesson Outline

A. Orders. Types:

1. Permanent Change of Station (PCS)
2. Temporary Additional Duty (TAD)
3. Duty Under Instruction (DUINS)
4. Temporary Duty Under Instruction (TEM DUINS)
5. Duty Involving Flying Status
 - a. Involving a Flying Status (DIFOPS)
 - b. Not involving a Flying Status (DIFDEN)

B. Interpret a set of orders

1. Issuing authority
2. Detachment date
3. Accounting data
4. Items
5. Orders modifications (ORDMODs)

C. Travel allowances and per diem

1. Travel time/proceed time/delay reporting (DELREP)
2. Travel allowances
 - a. Travel by transportation request (including dependents)

- b. Private automobile (PA)
 - c. Government air (GOVAIR) (directed/if available)
 - d. Overseas travel with/without dependents
 - 3. Pay entitlement prior to detachment
 - a. Advanced pay/per diem (if applicable)
 - b. Advanced travel
 - 4. Pay entitlement after travel is completed
 - a. Dislocation allowance (DLA)
 - b. Dependent travel
 - c. Accrued pay and/or per diem
- D. Leave entitlement
 - 1. How computed
 - 2. Normally 30 days leave entitled on PCS moves
 - 3. Excess leave
- E. Shipment of personal effects
 - 1. PCS entitlement
 - a. Basic weight allowance
 - b. Professional books
 - c. Express shipment
 - 2. Procedures for shipping
 - a. Utilize nearest household effects office
 - b. Accuracy of inventory

- c. Damage to personal effects
 - d. Valuable shipments
 - e. Personal experiences of instructor
- F. Reporting aboard
 - 1. Quarterdeck procedures
 - 2. Boat etiquette
 - 3. Calls and visits
 - 4. Deference and preference
- G. Relieving an officer
 - 1. Ensure proper written turnover (including required recurrent reports)
 - 2. Ensure understanding of full scope of duties and responsibilities of new job
 - 3. Conduct inventory of applicable equipment, classified documents, custody items, etc.
- H. Procedures for assuming duties of a division officer
 - 1. Briefing on personnel in division
 - 2. Briefing on scope of responsibilities and authority
 - 3. Other procedures as delineated above for relieving an officer
- I. Collateral duties
 - 1. Public Affairs Officer (PAO)
 - 2. Substance Abuse Coordinator (SAC)
 - 3. Legal Officer

4. Human Resources Officer (HRO)
5. Command Retention Officer (CRO)
6. Casualty Assistance Calls Officer (CACO)
7. Mess Treasurer
8. Educational Services Officer (ESO)

J. Taking charge

1. Introduction to seniors/peers/juniors
2. Review service records and division officer notebook records concerning juniors in your division.
3. Personally interview each junior.
4. Reflect on the adage, "Make no course change during the first half-hour after assuming the watch."

**NAVAL RESERVE OFFICERS TRAINING CORPS
LEADERSHIP & ETHICS**

Senior Seminar Lesson: 14

HOURS: .5

TITLE: THE MEANING OF A COMMISSION

I. Learning Objectives

- A. The student will comprehend the responsibilities and obligations an officer assumes by taking the oath of office and accepting a commission, including the constitutional requirement for civilian control.
- B. The student will comprehend the role of the commissioned officer as a leader in the U.S. Armed Forces.
- C. The student will know the principle programs for achieving an officer's commission in the U.S. Marine Corps, including those available to enlisted personnel.

II. References and Texts

A. Instructor References:

- 1. The Marine Officer's Guide, 6th ed., pp. 219-226
- 2. FMFM 1-0, Leading Marines, pp. 93-99

- B. Student Text: The Marine Officer's Guide, 6th ed., pp. 219-226

III. Instructional Aids

- A. Chalkboard/Easel
- B. Instructor-prepared transparencies/overhead projector or PowerPoint slides/projection system

IV. Suggested Methods and Procedures

- A. Method options
 - 1. Discussion
 - 2. Lecture
 - B. Procedural and student activity options: Read assignment prior to class and be prepared to discuss content and personal opinions.
- V. Lesson Outline
- A. Commission
 - 1. The formal written authority, issued in the name of the President of the United States, which confers rank and authority upon a Naval officer.

“To all who shall see these presents greeting: Know ye that, reposing special trust and confidence in the patriotism, valor, fidelity and abilities of_____, I do by and with the advice and consent of the Senate, appoint him an *Ensign/Second Lieutenant* in the United States Navy/*Marine Corps* to rank as such from the ____ day of _____. This officer will therefore carefully and diligently discharge the duties of the office to which appointed by doing and performing all manner of things thereunto belonging. And I do strictly charge and require those officers and other personnel of lesser rank to render such obedience as is due an officer of this grade and position. And this officer is to observe and follow such orders and directions, from time to time, as may be given by the President of the United States of America, or other superior officers acting in accordance with the laws of the United States of America. This commission is to continue in force during the pleasure of the President of the United States of America under the provisions of those public laws relating to officers of the Armed Forces of

the United States of America and the component thereof in which this appointment is made..."

2. Identifies the commissionee as one who possesses the prerequisites of patriotism, valor, fidelity and ability to lead American citizens in the military.
 - a. Although officer and enlisted promotion documents are conferred based on the individual's fidelity and abilities, the words "patriotism and valor" are found only in the officer's commission, attesting to the recipient's courage (physical and moral), commitment, and loyalty to the nation.
 - b. A commission is only awarded upon approval of the United States Senate, and the officer serves at "the pleasure of the President of the United States of America."
3. Special trust and confidence
 - a. The commission is bestowed upon a commissionee based on the special trust and confidence placed in him or her. He/she is differentiated from other citizens as one who has met the criteria of a leader in the armed forces.
 - b. This special trust and confidence requires that an officer's word be accepted as unquestionable truth. Except in cases required by higher authority (such as launch of sensitive weapons), the officer's position and his word serves as a testimony to his identity. An officer's word is his/her bond.
 - c. Since the commission carries the presumption that the recipient is an

individual of integrity, good manners, sound judgment and discretion, any lapse in these attributes diminishes the entire nation's faith and confidence in our military's officer corps. Therefore, such offenses are dealt with promptly and severely.

B. Oath of office

1. The present oath is basically the same as that used since the founding of the United States:

"I, _____, having being appointed an *Ensign/Second Lieutenant* in the United States *Navy/Marine Corps* under the conditions indicated in this document, do accept such an appointment and do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."

2. Unlike the oath taken by the Roman centurion who swore allegiance to Caesar Augustus and other Roman emperors, today's Oath of Office is not to a specific person, but to the Constitution of the United States, the document that symbolizes our government and way of life.
3. The oath also requires the officer to defend the Constitution against *all enemies, foreign and domestic*; thus tasking him to meet all challenges to the Constitution, whether they be from subversive elements within the United States or threatening acts by foreign powers.

C. Responsibility and privilege

1. By accepting their commission, naval officers incur certain responsibilities and receive certain privileges. The responsibilities are often referred to by the French term "noblesse oblige" or nobility obliges, alluding to the fact that the commission carries with it the responsibility for providing effective leadership to your sailors and marines.
2. The commissioned officer assumes vast responsibilities for the men, equipment, and material under his command. These obligations are numerous; for unlike his civilian counterpart, the officer is responsible not only for the performance of his subordinates, but also for the health, welfare, training and lives of his/her sailors or marines.
3. Along with these responsibilities come various privileges, which account for the quote, "rank has its privileges (RHIP)."
 - a. Some privileges originated from the need to free an officer from routine functions so that he could perform his primary duty of leading his subordinates. Eventually, some privileges increased with the rank of the officer.
 - b. Real privileges are not in the superficial elements associated with the RHIP philosophy. The true privilege of the commissioned officer is the honor of leading sailors and marines, and protecting the freedoms of our country.
4. It is imperative that the officer does not take advantage of the privilege opportunities that come with his/her rank. Instead, officers should ensure that they

share in the hardships of their marines or sailors and lead by example.

D. Duty and accountability

1. The concept of duty is a far-reaching aspect of being a commissioned officer. It encompasses leadership by example, endless personal sacrifice, meeting the expectations of your position and rank, providing for personnel welfare, and uncompromising performance of duty.
2. The commissioned officer is accountable for all that his/her sailors and marines do and/or fail to do. It is unacceptable for the officer to pass blame on to their subordinates when problems arise. As President Harry S. Truman said, "The buck stops here."

E. Commissioning sources

1. U.S. Naval Academy
2. Other Military Academies
3. NROTC
 - a. Scholarship program
 - b. College program/Advanced Standing
4. Navy and Marines Corps OCS
5. Marine Platoon Leader's Class (PLC), which is broken into Junior and Senior summer sessions
6. Marine Officer Candidate Course (OCC), a ten-week officer Evaluation and Development Program
7. Seaman-to-Admiral 21 (STA-21) Program that will replace all Enlisted to Officer commissioning programs for the Navy by 2005

8. Marine Corps Enlisted Commissioning Program
(MECEP)